

IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL REVISION APPLICATION NO. 55 OF 2017

**JOAQUIM JOSE MARIO LOPEZ,
PRESENTLY IN CENTRAL JAIL
COLVALE.,**

... Petitioner

Versus

RISOLETA GOMES AND ANR.,

... Respondents

Mr. Rohan Pandurang Desai, Advocate for the petitioner.
Ms. M. Correia, Advocate for the respondent no.1.
None for the respondent no.2.

Coram:- PRITHVIRAJ K. CHAVAN, J.

Date:- 23rd February 2018

P.C.

Learned Counsel for the petitioner has filed pursis on record.
Learned Counsel for the respondent no.1 submits that respondent no.1 has no objection in compounding the offence as the petitioner has deposited the entire amount of compensation.

2. In view of above, the revision petition is allowed. The petitioner is acquitted of the offence punishable under Section 138 of the NIA passed by JMFC, Margao in Criminal Case No.71/OA/NI/2012/II and confirmed by District Judge, Margao in Criminal Appeal No.72/2013 subject to the petitioner depositing 15% of the cheque amount in favour of Goa State Legal Services Authority in view of ratio laid down by the Hon'ble Supreme Court in the case of Damodar Prabhu Vs.

Sayyed Babalal H, reported in 2010(5) SCC 663.

3. Amount of compensation deposited by the petitioner be released in favour of the respondent no.1.
4. Learned counsel for the petitioner seeks three weeks time to deposit 15% of the cheque amount. Time granted.
5. Criminal Revision Application stands disposed of.

PRITHVIRAJ K. CHAVAN, J.