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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL REVISION APPLICATION NO.174 OF 2018

WITH

CRIMINAL APPLICATION NO.190 OF 2018

Ramesh Devidas Shah

..Applicant.

V/s.

Chinchani Bangaon Vibhag Sahakari

Bhatgirani Society Ltd. & Anr.

..Respondents.

Mr.Kunal M.Damle for the applicant.

Mr.Rupesh Lanjekar for respondent No.1.

Mr.H.J.Dedhia, APP for the respondent-State.

CORAM: NITIN W.SAMBRE, J.

DATE : APRIL 5, 2018

PC.:-

Mr.Haresh Narayan Raut, who is authorised by the original complainant-respondent No.1 herein, is personally present in the Court. He is identified through his Aadhar Card No.9318 6421 4585. The parties to the application have tendered consent terms wherein it is accepted by the complainant that the accused has paid the amount of Rs.4 lakhs towards full and final settlement of the dispute involved in the present proceedings.

2. The conviction of the applicant by the learned Judicial Magistrate First Class, Dahanu in S.C.C. No.162/2007 vide order dated September 6, 2012 for an offence punishable under section 138 of the Negotiable Instruments, 1881 ('the Act' for short) with direction to pay compensation of Rs.2 lakhs to the complainant was confirmed by the learned Additional Sessions Judge, Palghar in Criminal Appeal No.16/2012 vide judgment and order dated January 3, 2018.

3. Since the parties have drawn consent terms before the Court intimating that the matter is amicably settled in view of the provisions of section 147 of the N.I. Act and under section 320 of the Code of Criminal Procedure, it is ordered that the offence is compoundable. The present application as such, stands allowed in terms of prayer clause (a).

4. The authorisation given in favour of Haresh Narendra Raut by the original complainant is taken on record and marked 'X' for identification.

5. The revision is disposed in above terms.

(NITIN W.SAMBRE, J.)