

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL REVISION APPLICATION NO. 335 OF 2018
WITH
CRIMINAL REVISION APPLICATION NO. 336 OF 2018**

Sanjivan Rajaram Bhosale

....Applicant

Versus

The State of Maharashtra & Anr.

...Respondents

.....

Mr.R.D.Suryawanshi for the Applicant.

Mrs.Rutuja Ambekar, APP for Respondent No.1 – State.

Mr.Saurabh Butala for Respondent No.2.

.....

**CORAM: MRS.MRIDULA BHATKAR, J.
DATED : OCTOBER 29, 2018**

P.C.:

1. Upon urgent mentioning, taken on production board.
2. In both Revision Applications, the applicant is convicted for the offence punishable under Section 138 of the Negotiable Instrument Act.
3. The learned counsel for both the parties file the consent terms dated 29th October, 2018. Both the parties are present. The identity of the applicant and respondent No.2/ original complainant is verified by the Court Sheristedar. Respondent No.2/original complainant and the

applicant along with their respective counsel signed the consent terms. The said consent terms is taken on record and marked as **Exhibit A**.

4. The learned counsel for both the parties submit that the parties have settled the matter out of Court. Both the parties undertake that they are bound by the terms and conditions mentioned in the consent terms.

5. Respondent No.2/original complainant in the Revision Applications is hereby allowed to withdraw the amount deposited by the applicant. The entire amount will be paid to respondent No.2/original complainant by the applicant on or before 15th March, 2019.

6. In view of the undertaking given by both the parties, the consent terms are accepted. Both the Revision Applications are disposed of with following order :

ORDER

- (i) The judgment and order dated 12th June, 2018 passed by the learned Sessions Judge, Ratnagiri in Criminal Appeal No. 63 of 2015 and the judgment and order dated 4th September, 2015 passed by the learned Judicial Magistrate First Class, Rajapur in Summary Criminal Case No. 75 of 2013 are hereby quashed and set aside.

- (ii) The judgment and order dated 12th June, 2018 passed by the learned Sessions Judge, Ratnagiri in Criminal Appeal No. 64 of 2015 and the judgment and order dated 4th September, 2015 passed by the learned Judicial Magistrate First Class, Rajapur in Summary Criminal Case No. 71 of 2013 are hereby quashed and set aside.
- (iii) The applicant is hereby acquitted, subject to the consent terms.

(MRIDULA BHATKAR, J.)