

IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL REVISION APPLICATION NO. 72 OF 2018

SURESH VASANT NAIK, THR. HIS WIFE,
SUSHEELA SURESH NAIK., ... Applicant

Versus

THE VPK URBAN CO-OPERATIVE CREDIT
SOCIETY LTD., THR. ITS AUTH. REP.,
TUKARAM B. GAUDE AND ANR., ... Respondents

Mr. Prasad U. Dessai, Advocate for the Petitioner.

Mr. N. Vernekar, Advocate for the Respondent.

Coram:- PRITHVIRAJ K. CHAVAN, J.

Date:- 10th July 2019

P.C.:

The parties have filed consent terms signed by the petitioner, the respondent No. 1 as well as the respective Counsel, which is taken on record and marked X for identification.

2. The parties have amicably settled the dispute and the petitioner has already deposited the entire amount of the cheque to the tune of Rs. 58,000/- to the satisfaction of respondent No.1.

3. In view of the settlement of the dispute between the parties, the offence under Section 138 of the N.I.Act stands compounded.

The impugned judgment and order of conviction passed by the learned Judicial Magistrate, First Class, Vasco-da-Gama on 21.11.2017 is quashed and set aside.

4. The petitioner is acquitted of the offence. His bail bond stand cancelled and surety is discharged.

5. The petitioner shall deposit 15% of the cheque amount before the Goa State Legal Services Authority in compliance of the decision of the Hon'ble Supreme Court in the case of Damodar S. Prabhu Vs. Sayed Babalal H. {(2010) 5 SCC 663}, within one week.

6. Place the matter for compliance on 23.07.2019.

PRITHVIRAJ K. CHAVAN, J.

MF/-