

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

**CRIMINAL APPLICATION NO. 48 OF 2018
WITH
CRIMINAL APPLICATION NO. 49 OF 2018
WITH
CRIMINAL APPLICATION NO. 50 OF 2018
IN
CRIMINAL REVISION APPLICATION (ST.) NO. 62 OF 2018**

K.S. Ranganath
Prop. M/s. Maruti Electric company
& anr.

.. Applicants

Vs.

1.The State of Maharashtra
& Anr.

.. Respondents

Mr.Shriniwas Singh for applicant.

Mr.N.B. Patil, APP for respondent No.1-State.

Mr.N.I. Singh for respondent No.2.

Mr.K.S. Ranganath-applicant present.

Mr.Vasantha Shetty, respondent No.2 present.

CORAM : N.J. JAMADAR, J.

DATE : 27TH NOVEMBER 2019

P.C.

CRIMINAL REVISION APPLICATION (ST.) NO. 62 OF 2018

1. This revision application assails the judgment and order, dated 9th May 2016, passed by the learned Additional District and Sessions Judge, Kalyan in Criminal Appeal No. 61 of 2009, whereby the appeal came to be dismissed and, the judgment and order, dated 24th November 2009 passed by the learned Judicial Magistrate, First Class, Illrd Court, Kalyan convicting the accused for the offence punishable under

section 138 of the Negotiable Instruments Act, 1881 and sentencing him to suffer simple imprisonment for six months, with a direction to pay compensation of Rs. 2,50,000/- to the complainant respondent No.2 herein, came to be confirmed.

2. During the pendency of this application, the applicant-accused and the respondent No.2-original complainant have resolved the dispute and they have decided to compound the offence punishable under section 138 of the Negotiable Instruments Act, 1881. In pursuance of the settlement, the applicant and the respondent No.2 have filed consent terms dated 27th November 2019. The same is taken on record and marked as Exh.'X' for identification.

3. The respondent No.2-original complainant Vasantha Shetty is present before the Court and admits the contents of the consent terms and signature thereon. The respondent No.2 is identified by Shri Singh, the learned counsel for the respondent No.2. The consent terms is taken on record and marked 'X' for identification.

4. In view of the settlement and composition of the dispute between the parties, the case bearing No.1118/SS/2004 stands disposed of as compounded. The applicant-accused stands acquitted of the offence punishable under section 138 of the Negotiable Instruments Act, 1881

The judgment and order, dated 24th November 2011 passed by the learned Judicial Magistrate, First Class, IIIrd Court Kalyan and confirmed by the learned District and Sessions Judge, Kalyan in Criminal Appeal No. 61 of 2009 by the judgment and order dated 9th May 2016 is hereby quashed and set aside.

The bail bond of the applicant stands cancelled.

Surety stands discharged.

5. The revision application stands disposed of in the aforesaid terms.

6. In view of the disposal of the revision application, pending criminal applications do not survive and accordingly stand disposed of.

[N.J. JAMADAR, J.]