

Vidya Amin.

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

**CRIMINAL APPLICATION NO. 74 OF 2019  
IN  
CRIMINAL REVISION APPLICATION (St.) No. 68 OF 2019**

Nikhil Uday Singh ... Applicant  
vs.  
The State of Maharashtra & Anr. ... Respondents

Mr. Kuldeep Patil i/b. Arjun S. Pawar, Advocate for the applicant.  
Mr. N. Gandhi, Advocate for respondent No. 2.  
Mr. A.R. Patil, APP for the respondent No. 1/State.

**CORAM: Mrs.MRIDULA BHATKAR, J.  
DATED: 13<sup>th</sup> February, 2019**

**P.C. :**

This Application is moved for condonation of delay of 2 years  
20 days in filing the Criminal Revision Application.

2. The learned counsel for the applicant submitted that this matter is settled between the parties. The trial Court has awarded compensation of Rs.21,20,000/- to be paid by the applicant/accused to the complainant. The parties have settled the matter for an amount of Rs.19,20,000/-, as an amount of Rs.2,00,000/- were already paid by the applicant. The learned counsel submitted that out of Rs.19,20,000/-, an amount of

Rs.11,00,000/- are already paid and now the post dated cheque, i.e., 13<sup>th</sup> April, 2019 of the remaining amount of Rs.8,20,000/- is given to the complainant.

3. The learned counsel for the complainant is present. He confirms the facts and payment made.

4. The learned counsel for the applicant submitted that the applicant/accused is in jail since 29<sup>th</sup> January, 2019 and therefore, the entire transaction is done through his brother Himanshu Uday Singh, which is acknowledged by the complainant. The learned counsel produced the consent terms, which are signed by Himanshu Uday Singh, brother of the applicant and by the respondent No. 2-Deepak Narayan Lad and also by their respective advocates. The consent terms is taken on record and marked as Exhibit-1.

5. The statement made and undertaking given by the brother of the applicant/accused is accepted. The fact that post-dated cheque of Rs.8,20,000/- is issued on the instructions given by the brother of the applicant/accused for which the applicant/accused is

entirely liable.

6. In view of this, Application for condonation of delay of two years and 20 days is allowed. Delay condoned.

7. Criminal Application is allowed and is disposed of accordingly.

8. Criminal Revision Application be registered. Place the Revision Application on 22<sup>nd</sup> April, 2019.

**(MRIDULA BHATKAR, J.)**