

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

**CRIMINAL REVISION APPLICATION NO. 118 OF 2019
WITH
CRIMINAL APPLICATION NO. 122 OF 2019
IN
CRIMINAL REVISION APPLICATION NO. 118 OF 2019**

K.S. Ranganath

.. Applicant

Vs.

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.Narayan Gopal Shetty, respondent No.2 present.

CORAM : N.J. JAMADAR, J.

DATE : 27TH NOVEMBER 2019

P.C.

1. This revision application assails the judgment and order, dated 2nd January 2019, passed by the learned Additional Sessions Judge, Kalyan in Criminal Appeal No. 20 of 2010, whereby the appeal came to be dismissed and, the judgment and order, dated 19th April 2010 passed by the learned Judicial Magistrate, First Class, IIIrd 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. The respondent No.2-original complainant Narayan Gopal 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.

3. In view of the settlement and composition of the dispute between the parties, the complaint, being C.C.No.993/SS/2005, 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 19th April 2010 passed by the learned Judicial Magistrate, First Class, IIIrd Court Kalyan and confirmed by the learned Additional Sessions Judge, Kalyan in Criminal Appeal No. 20 of 2010 by the judgment and order dated 2nd January 2019 is hereby quashed and set aside.

The bail bond of the applicant stands cancelled.

Surety stands discharged.

The revision application stands disposed of in the aforesaid terms.

- 4.** In view of disposal of revision application, pending criminal application does not survive and stands disposed of accordingly.

[N.J. JAMADAR, J.]