

Vidya Amin.

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

CRIMINAL REVISION APPLICATION NO. 526 OF 2018

Ramesh Ramratan Dujari	...	Applicant
VS.		
Jancie Textiles Ltd. & Anr.	...	Respondents

Mr. Pankaj Pandey, Advocate for the applicant.
Mr. Sunil D'souza a/w. Mr. Jayant Gaikwad, Advocate for respondent no. 1.
Mr. N.B. Patil, APP for the respondent/State.

**CORAM: Mrs.MRIDULA BHATKAR, J.
DATED: 10th April, 2019**

P.C. :

Upon urgent mentioning, taken on production board.

2. The learned counsel for both the parties submitted that they are filing the consent terms.

3. The applicant/accused is convicted for the offence punishable under section 138 of Negotiable Instruments Act by the order dated 20th February, 2015 by the learned Metropolitan Magistrate, 6th Court, Mazgaon at Sewree in C.C. No. 9326/SS/2008 and also the the judgment and order dated 22nd May, 2018 passed by the learned Additional Sessions Judge, City Civil Court, Greater Bombay in Criminal Appeal No. 259 of 2015.

4. The applicant and the representative of respondent no. 1 are present. The consent terms are accepted and taken on record and marked as Exhibit 1. The consent terms are signed by the concerned parties and their respective advocates. The statements made and the undertaking given in the consent terms are accepted. As per the clause no. 5(c)(i), (ii) and (iii) of the consent terms, demand draft and receipts are given to the complainant.

5. In view of the consent terms, the judgment and order dated 22nd May, 2018 passed by the learned Sessions Judge, Mumbai in Criminal Appeal No. 259 of 2015 and also the judgment and order dated 20th February, 2015 passed by the learned Metropolitan Magistrate, 6th Court, Mazgaon at Sewree in C.C. No. 9326/SS/2008 are quashed and set aside.

6. Whatever amount deposited by the applicant/accused, the complainant is allowed to withdraw the same after verification of his identity.

7. Writ Petition is disposed of.

(MRIDULA BHATKAR, J.)