

**IN THE NATIONAL LOK ADALAT PRESIDED OVER BY
HON'BLE SHRI JUSTICE S.G. MEHARE,
HELD ON 01ST AUGUST, 2021.
AT HIGH COURT LEGAL SERVICES SUB-COMMITTEE AT
AURANGABAD**

**CRIMINAL REVISION APPLICATION NO. 58 OF 2019
WITH
CRIMINAL APPLICATION NO.711 OF 2019**

Radha Kids Proprietor
Chetan S/o Puran Sakhala

...Applicant

Versus

The State of Maharashtra and Another

...Respondents

...

Mr. Chetan Sakhala, Applicant in person present.
Mr.Dhananjay M. Shinde, Advocate for the Applicant.
Mr. N.P. Bangar, Advocate for Respondent No.2.
Mr. Govind Rambilas Sharma, Branch Manager, Dwarkadas Mantri
Nagari Sah. Bank Ltd., Beed, is present.

...

ORDER

1. Not on board. Taken on board.
2. Today this matter is taken up before the National Lok Adalat.
3. The applicant is present personally along with his counsel. The learned The representatives of the respondent-Bank is also present. The applicant and respondents have arrived at a compromise. The compromise memo is placed on record which is marked as 'X-1". The settlement terms reveals that the applicant – borrower has paid the entire dues to the bank/complainant. Since nothing is to be recovered from the applicant, the applicant and respondents have compounded the offence under Section 147 of the Negotiable Instruments Act. The respondents have no complaint against the applicant and do not wish to proceed with the complaint. The offence under Section 138 of the

Negotiable Instruments Act, is compounded. The same offence can be compounded at this stage. Since the offence is compoundable and compounded by the parties, the following order is passed:

ORDER

- i) The criminal revision application is disposed of in terms of the compromise memo.
- ii) The judgment and order passed by the learned J.M.F.C., Court No.11 at Ahmednagar in S.C.C. No.7038 of 2006 dated 25.07.2012 and the judgment and order passed by the learned Additional Sessions Judge, Court No.7 at Ahmednagar in Criminal Appeal No.136 of 2012 dated 31.01.2019, are quashed and set aside.
- iii) The applicant-accused is acquitted under Section 255-A of the Code of Criminal Procedure for the offence punishable under Section 138 of the Negotiable Instruments Act. The amount of Rs. 1,00,000/- deposited by the applicant in this Court and Rs.2,50,000/- with the Sessions Court at Ahmednagar, be returned to him forthwith.
- iv) The learned J.M.F.C., Court No.11 at Ahmednagar be informed accordingly.
- v) Pending application, if any, stands disposed of.

(S.P. Brahme)
Advocate
Member

(S.G. Shete)
District Judge.(Retd.)
Member

(S.G. Mehare)
Judge
Head of the Panel

Date: 01-08-2021
Mujaheed//