

Andreza

IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL APPEAL NO. 35 OF 2015

The Old Goa Urban Co-operative Credit Society
Ltd., Thr. Its General Manager Tulshidas P.
Ghadi

...Appellant

Versus

Ravindra K. Naik

...Respondents

Mr. Nilesh Shirodkar, Advocate for the Appellant.

Respondent present in person.

CORAM: MANISH PITALE, J

DATED: 28th October 2021

P.C.

1. This is an appeal against acquittal filed by the original complainant concerning an offence alleged against the Respondent under Section 138 of the Negotiable Instruments Act, 1881.

2. During the pendency of this Appeal, the parties made efforts to settle the dispute. In the order dated 14.10.2021, this Court had recorded that the Counsel for the Respondent had handed over a cheque for an amount of ₹2,40,000/- to the Appellant. In view of the cheque handed over to the Counsel for the Appellant, non-bailable warrants issued against the Respondent were cancelled.

3. It appears that the aforesaid cheque also stood dishonoured.

4. When the Appeal is called out for hearing today, the Respondent has appeared in person. He has apologised for the dishonour of cheque handed over on 14.10.2021 and in order to settle the matter finally, the Respondent has produced a Demand Draft of ₹2,40,000/- and a separate Demand Draft of ₹15,000/- in favour of the Appellant. The said Demand Draft of ₹15,000/- is towards the amount of costs mentioned in the order dated 14.10.2021, passed by this Court.

5. The Demand Draft for amount of ₹2,40,000/- is dated 21.10.2021 bearing no. 204383. The Demand Draft for an amount of ₹ 15,000/- is dated 21.10.2021 bearing no.204382.

6. Both these Demand Drafts are handed over to the learned Counsel appearing for the Appellant.

7. In view of the Demand Drafts handed over to the learned Counsel appearing for the Appellant, a statement is made, on instructions of the Appellant, that the Appeal can be disposed of as withdrawn.

8. In view of the above, the Appeal is disposed of as withdrawn.

9. The office is directed to keep photo copies of the two Demand Drafts in the record of this file.

MANISH PITALE, J.