

Santosh

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

CRIMINAL REVISION APPLICATION NO. 217 OF 2014

Sahadev Sukaji Satardekar	...Applicant
Versus	
The State of Maharashtra and ors.	...Respondents

Mr. Mahesh Rawool, for the Applicant.
Smt. Rutuja Ambekar, APP for the State/Respondent no.1.
Mr. G. H. Keluskar, for Respondent no.2.

CORAM: A. S. GADKARI, J
DATED: 17th MARCH, 2021

PC:-

1. Mr. Rawool, the learned Counsel for the applicant, submitted that the parties herein have settled the matter amicably and have executed Consent Terms dated 17th March, 2021. He tendered across the bar, Consent Terms dated 17th March, 2021. The Consent Terms are duly signed by the son of the applicant and respondent no.2. The signatures of the concerned persons have been identified by their respective Advocates. The said Consent Terms are taken on record and marked 'X' for identification.
2. Mr. Rawool submitted that the applicant herein is bedridden due to brain hemorrhage and therefore, is unable to sign the Consent Terms.

The Consent Terms are, therefore, signed by the son of the applicant. He further submitted that the applicant has already paid the agreed amount to respondent no.2. Mr. Keluskar, the learned Counsel for respondent no.2, submitted that respondent no.2 has no grievance or complaint against the applicant as of today and the Consent Terms filed by the respective parties may be accepted in its entirety.

3. In view of the above, the applicant is permitted to compound offence under Section 138 of the Negotiable Instruments Act, and it is accordingly compounded.

4. Impugned judgment and orders dated 16th April, 2009 passed in Summary Criminal Case No.182 of 2008, by the learned Judicial Magistrate, First Class, Sawantwadi, and dated 28th May, 2014 passed in Criminal Appeal No.17 of 2009, by the learned Sessions Judge, Sindhudurg, Oros, are hereby quashed and set aside and the applicant is acquitted for the offense punishable under Section 138 of the Negotiable Instruments Act, 1881.

5. Application is allowed in the aforesaid terms.

(A. S. GADKARI, J.)