IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL REVISION APPLICATION NO. 142 OF 2016

Prashanth V. Vala ….Applicant.

Vs.

Sanjay P. Gorodia & Anr. ….Respondents.

WITH

CRIMINAL APPLICATION NO. 132 OF 2016
IN
CRIMINAL REVISION APPLICATION NO. 142 OF 2016

WITH

CRIMINAL APPLICATION NO. 133 OF 2016
IN
CRIMINAL REVISION APPLICATION NO. 142 OF 2016

WITH

INTERIM APPLICATION NO. 1108 OF 2020
IN
CRIMINAL APPLICATION NO. 132 OF 2016
WITH
CRIMINAL APPLICATION NO. 133 OF 2016
IN
CRIMINAL REVISION APPLICATION NO. 142 OF 2016

Prashanth V. Vala ….Applicant.

Vs.

Sanjay P. Gorodia & Anr. ….Respondents.

Smt. M.J. Reena Rolland for the Applicant.
Mr. MV. Swar, for the Respondent No.1.
Mr. Amit Palkar, APP for the Respondent No.2-State.

CORAM : A. S. GADKARI, J.
DATE : 15th FEBRUARY, 2021.

P.C.:-

The Applicant has been convicted under Section 138 of the Negotiable Instruments Act and is sentenced to suffer simple imprisonment for one month and to pay compensation along with interest thereon, as per the directions issued by the Trial Court in the operative part of the impugned Judgment and Order dated 19th "August, 2014 in C.C. No.1262/SS/2013, passed by learned Metropolitan Magistrate, 6th Court, (Mazgaon) at Sewree, Mumbai.

The Criminal Appeal No.841 of 2014 preferred by the Applicant has been dismissed by the Additional Sessions Judge, Greater Mumbai, by its Judgment and Order dated 9th February, 2016.

2 Today, this Court has passed an Order in Criminal Application No.39 of 2021 filed by the Applicant herein, on the basis of the Consent Terms dated 8th February, 2021 filed by the parties herein, which is annexed as *Exh-'A'* to the said Application.

3 In view of the fact that, the parties herein have settled the matter amicably and the Respondent No.1 has no grievance against the Applicant, as he has received entire amount as per the consent terms, at the joint request of the Applicant and the Respondent No.1, the Applicant is permitted to compound the said offence under Section 138 of the

Negotiable Instruments Act.

4 Accordingly, the impugned Orders dated 19th August, 2014, passed in C.C. No.1262/SS/2013, by learned Metropolitan Magistrate, 6th Court, (Mazgaon) at Sewree, Mumbai and 9th February, 2016, passed in Criminal Appeal No.841 of 2014, by the Additional Sessions Judge, Greater Mumbai, are hereby quashed.

Criminal Revision Application No.142 of 2016, is accordingly allowed.

5 In view of disposal of Criminal Revision Application No.142 of 2016, nothing survive in Criminal Application Nos. 132 of 2016, 133 of 2016 and I.A. No.1108 of 2020 and the same are also disposed off.

(A.S. GADKARI, J.)

Sanjiv S. Mashalkar
Digitally signed by Sanjiv S. Mashalkar
Date: 2021.02.23 17:46:17 +0530