

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

**CRIMINAL REVISION APPLICATION NO. 369 OF 2019
WITH
CRIMINAL APPLICATION NO. 376 OF 2019
WITH
CRIMINAL APPLICATION NO. 377 OF 2019**

M/s. Matrix Cropsciences Pvt. Ltd. And Anr. ...Applicants
Versus
M/s. Bhansali Petrochem Pvt.Ltd.and Anr. ...Respondents

**WITH
CRIMINAL INTERIM APPLICATION NO. 1043 OF 2020
IN
CRIMINAL REVISION APPLICATION NO. 369 OF 2019**

M/s. Bhansali Petrochem Private Limited ...Applicant
Versus
Matrix Cropsciences Pvt.Ltd.and Ors. ...Respondents

ALONGWITH

**CRIMINAL REVISION APPLICATION NO. 371 OF 2019
WITH
CRIMINAL APPLICATION NO. 379 OF 2019
WITH
CRIMINAL APPLICATION NO. 380 OF 2019**

M/s. Matrix Cropsciences Pvt. Ltd. And Anr. ...Applicants
Versus
M/s. Bhansali Petrochem Pvt.Ltd.and Anr. ...Respondents

**WITH
CRIMINAL INTERIM APPLICATION NO. 1042 OF 2020
IN
CRIMINAL REVISION APPLICATION NO. 371 OF 2019**

M/s. Bhansali Petrochem Private Limited ...Applicant
Versus
Matrix Cropsciences Pvt.Ltd.and Ors. ...Respondents

ALONGWITH
CRIMINAL REVISION APPLICATION NO. 372 OF 2019
WITH
CRIMINAL APPLICATION NO. 381 OF 2019
WITH
CRIMINAL APPLICATION NO. 382 OF 2019

M/s. Matrix Cropsciences Pvt. Ltd. And Anr. ...Applicants
Versus
M/s. Bhansali Petrochem Pvt.Ltd.and Anr. ...Respondents

WITH
CRIMINAL INTERIM APPLICATION NO. 1044 OF 2020
IN
CRIMINAL REVISION APPLICATION NO. 372 OF 2019

M/s. Bhansali Petrochem Private Limited ...Applicant
Versus
Matrix Cropsciences Pvt.Ltd.and Ors. ...Respondents

....

Mr. Jamshed Ansari for the Applicants in all matters.

Ms. Riddhi Gala i/by Mr. Mukesh J. Pabari, Advocate for Respondent
No.1.

Mr. Arfan Sait, A.PP for the Respondent -State.

CORAM : PRAKASH D. NAIK, J.
DATE : 6th JUNE, 2022.

PER COURT:

1. The revision applicants in all these applications were prosecuted for offence punishable under Section 138 of Negotiable Instruments Act vide Criminal Case No.298/SS/2011, Criminal Case No.337/SS/ 2011 and Criminal Case No.338/SS/2011.

2. The applicants were convicted in respective complaints which was subject matter of these applications by the trial Court for offence punishable under Section 138 of Negotiable Instrument Act vide judgment and orders dated 2nd January, 2017 passed by the Court of learned Metropolitan Magistrate, 6th Court, Mazgaon, Mumbai. The judgment of the trial Court was challenged before the Sessions Court by preferring Appeals. Those appeals were dismissed vide judgment and orders dated 29th June, 2019. These orders are under challenge in these revision applications.

3. Learned Advocate for the applicants as well as respondent No.1/complainant submitted that the parties have settled the disputes and executed the consent terms. The said consent terms are placed on record. It is submitted that, in view of the consent terms the impugned judgments of conviction passed by the court of learned Metropolitan Magistrate as well as Sessions Court be quashed and set aside. It is submitted that the entire amount involved in this proceedings has been parted to the complainant.

4. In view of the consent terms, Revisions Applications are required to be allowed by setting aside the judgment of conviction.

5. Hence, I pass the following order:

ORDER

- i. Criminal Revision Application No. 369 of 2019 is allowed;
- ii. Judgment and order dated 2nd January, 2017 passed by learned Metropolitan Magistrate, 6th Court, Mazgaon at Sewree, Mumbai in C.C. No.298/SS/2011 and judgment and order dated 29th June, 2019 passed by learned Additional Sessions Judge, City Civil and Sessions Court for Greater Bombay in Criminal Appeal No.54 of 2017 is set aside and the revision applicants in Criminal Revision Application No.369 of 2019 are acquitted.
- iii. Criminal Revision Application No. 371 of 2019 is allowed;
- iv. Judgment and order dated 2nd January, 2017 passed by learned Metropolitan Magistrate, 6th Court, Mazgaon at Sewree, Mumbai in C.C. No.337/SS/2011 and judgment and order dated 29th June, 2019 passed by learned Additional Sessions Judge, City Civil and Sessions Court for Greater Bombay in Criminal Appeal No.55 of 2017 is set aside and the revision applicants in Criminal Revision Application No.371 of 2019 are acquitted.
- v. Criminal Revision Application No. 372 of 2019 is allowed;

vi. Judgment and order dated 2nd January, 2017 passed by learned Metropolitan Magistrate, 6th Court, Mazgaon at Sewree, Mumbai in C.C. No.338/SS/2011 and judgment and order dated 29th June, 2019 passed by learned Additional Sessions Judge, City Civil and Sessions Court for Greater Bombay in Criminal Appeal No.56 of 2017 is set aside and the revision applicants in Criminal Revision Application No.372 of 2019 are acquitted.

vii. The amount deposited by the Revision applicants before the trial Court is permitted to be withdrawn by the complainant/respondent No.1.

viii. All Revision Applications along with Interim Applications and Criminal Applications are disposed of accordingly.

(PRAKASH D. NAIK, J.)