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

CRIMINAL REVISION APPLICATION NO.515 OF 2018

Mukeshchandra Chandmal Mehta ... Applicant

V/s.

Pannalal C. Rathod (HUF) & Anr. ... Respondents

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**WITH
CRIMINAL REVISION APPLICATION NO.420 OF 2018
WITH
CRIMINAL APPLICATION NO.400 OF 2018
IN
CRIMINAL REVISION APPLICATION NO.420 OF 2018**

Vandana Ashish Bomb ... Applicant

V/s.

Pannalal C. Rathod (HUF) & Anr. ... Respondents

Mr. Abbas Zaidy i/by Zohair & Co. for the applicant in
Revn/515/2018.

Mr. Chirag Chainani i/by Dewani & Associates for the
applicant in Revn/420/2018.

Mr. Jatin P. shah with Ms. Snehankita Munj, Ms.
Shraddha Kamble for respondent no.1 in both matters.

Mr. A.R. Patil, APP for the respondent/State.

CORAM : AMIT BORKAR, J.

DATED : DECEMBER 22, 2022

P.C.:

1. The challenge in these proceedings is to the judgment and
order passed by the Courts below convicting and sentencing the

accused for offence under section 138 of the Negotiable Instruments Act, 1881. The learned Magistrate imposed simple imprisonment of one day till rising of the Court and directed the accused/applicant to pay an amount of Rs.59,07,800/- to the complainant. The learned Sessions Judge dismissed the applicant's appeal and partly allowed the revision of the complainant enhancing simple imprisonment to one (1) month and further directed to pay simple interest at the rate of 9% from 30th April 2014 till payment of Rs.59,07,800/-. The applicant has, therefore, filed present revision application.

2. During the pendency of the present criminal revision application, the parties have amicably resolved their disputes and have filed consent terms dated 13th December 2022, which are signed by both the parties and their respective advocates.

3. According to clause (3) of the consent terms, the applicant has paid the amount. Compliance affidavit to that effect has been filed in Court today. The same is taken on record and marked 'Z' for identification. Learned advocate for the complainant accepts the contents of the compliance affidavit that the amount as agreed in clause (3) of the consent terms has been paid to the complainant.

4. In that view of the matter, in exercise of powers under section 147 of the Negotiable Instruments Act, 1881 the offence alleged against the applicant is compounded.

5. In view of this order, Criminal Revision Application No.420 of 2018 is allowed in terms of prayer clause (B); and Criminal

Revision Application No.515 of 2018 is allowed in terms of prayer clause (a).

6. Both the criminal revision applications are disposed of in above terms. No costs.

7. In view of this, the criminal application does not survive and is disposed of accordingly.

(AMIT BORKAR, J.)