

parties. The said Consent Terms are taken on record and marked **‘X’ for identification.**

3. It is mentioned in clause 2 of the said Consent Terms that the respondent No.2 has received the entire cheque amount by Demand Draft dated 23rd February, 2022 for a sum of Rs. 6,10,000/-. The respondent No.2 has also given his no objection for quashing and setting aside of the impugned Judgment and Order passed by the trial Court as well as by the Appellate Court having regard to the settlement between them in para 5 of the Consent Terms. It is also stated that the conviction warrant issued also be quashed and set aside in view of the dispute having been settled and the applicant be acquitted of the offence punishable under Section 138 of the Negotiable Instruments Act.

4. The applicant and the respondent No.2 are present in person. The respondent No.2 reiterates what is stated in the said Consent Terms i.e. of receipt of the cheque amount and his no objection for quashing and setting aside of the impugned Judgment and Order passed by the trial Court and the Appellate Court. The respondent No.2 also has no objection if the applicant is permitted to withdraw the monies deposited by him in this Court as well as in the trial Court.

5. Considering the dispute having been amicably settled, the impugned Judgment and Order dated 10th February, 2015 passed in C.C.No. 71/SS/2014 by the 33rd Metropolitan Magistrate Court, at Ballard Pier, Mumbai as well as the Judgment and Order dated 29th November, 2016 passed in Criminal Appeal No.294 of 2015 by the learned Sessions Judge, Mumbai, are quashed and set aside and the applicant is acquitted of the offence punishable under Section 138 of the Negotiable Instruments Act. Consequently, the conviction warrant issued as against the applicant is also quashed and set aside. The applicant is permitted to withdraw the amount deposited by him in the Registry of this Court as well as in the trial Court i.e. in the Registry of the Court of Metropolitan Magistrate at Ballard Pier, Mumbai.

6. The Applicant to deposit costs of Rs.10,000/- with the Bar Council of Maharashtra and Goa, Mumbai, within two weeks from today.

7. The application is disposed of on the aforesaid terms.

8. In view of the disposal of the aforesaid criminal Revision Application, nothing survives for consideration in the interim application i.e. the bail application. The same is accordingly disposed of.

9. Matter to be listed on 29th March, 2022 for recording compliance of the said deposit of Rs.10,000/- to the Bar Council of Maharashtra and Goa.

REVATI MOHITE DERE, J.