

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CRIMINAL REVISION APPLICATION NO. 4 OF 2012
WITH
CRIMINAL REVISION APPLICATION NO. 6 OF 2012**

Bharatkumar Shrinivas Asawa .. Applicant

Versus

Ramkrishna Urban Cooperative Credit Society
Limited Ahmednagar through its Authorized Officer ..Respondent.

Mr. P.D. Suryawanshi, Advocate for the applicant.

Mr. S.A Nagarsoge, Advocate for respondent.

CORAM : S.G. CHAPALGAONKAR, J.

DATE : 30th AUGUST, 2023

ORDER :-

1. These revision applications are filed by the applicant against the judgment and order of conviction of the applicant under Section 138 of the Negotiable Instruments Act, 1881. The judgment of conviction was also confirmed in appeal.

2. Parties have arrived at an amicable settlement. They have filed their settlement terms/consent terms. Same are taken on record and marked as Annexure "A" for identification. Parties have agreed that they have settled the dispute amicably as the accused has deposited the entire amount with the respondent Credit Society and the respondent

Credit Society has also issued "No Dues Certificate" on 7.4.2015. The parties are present before the Court. They admit the terms of settlement/ consent terms. In view of the consent terms, the following order is passed :-

O R D E R

- [I] Leave is granted to compound the offence.
- [ii] Judgment and order of the learned Judicial Magistrate First Class, Ahmednagar in S.T.C. No. 783 of 2003 dated 4.7.2006 convicting the accused under Section 255(2) of Cr.PC. for the offence punishable under Section 138 of the N.I. Act and confirmed by the learned the learned Additional Sessions Judge, Ahmednagar in Criminal Appeal No. 122 of 2006 vide judgment and order dated 27.12.2011 stand quashed and set aside.
- [iii] The accused is acquitted under Section 255 of the Code of Criminal Procedure for the offence punishable under Section 138 of the Negotiable Instruments Act.
- [iv] The bail bonds of the accused stand cancelled. The surety stands discharged.
- [v] R. & P. be returned to the Court of learned Judicial Magistrate first Class, Ahmednagar.
- [vi] Both revision applications stand disposed of.

[S.G. CHAPALGAONKAR]
JUDGE

grt/-