

(1)

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

**CRIMINAL REVISION APPLICATION NO.151 OF 2022
WITH APPLN/1564/2022 IN REVN/151/2022**

**MANIKCHAND CHANDULAL BORANA
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**

**WITH
CRIMINAL REVISION APPLICATION NO.152 OF 2022
WITH APPLN/1566/2022 IN REVN/152/2022**

Advocate for Applicants : Mr. Pramod Gaikwad h/f Mr. Talhar Ajay G.
APP for Respondent/State : Mr. K.S. Patil
Advocate for Respondent No.2 : Ms. Pournima A. Salve h/f Mr. S.J.
Salunke

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CORAM : S.G. MEHARE, J.

DATED : JANUARY 31, 2023

PER COURT:-

1. In both the cases, the applicant/petitioner was convicted for the offence punishable under Section 138 of the Negotiable Instruments Act. His appeals were also dismissed. Today, he has filed separate applications for compounding the offences. The complainant and accused are present. In Criminal Revision Application No.152 of 2022, the complainant gave the authority. They also filed the compromise deeds on record. The complainants have been satisfied that they have received the amount mentioned in the compromise deed. They have compromised their dispute. Hence, they want to settle the matter.

(2)

2. Perused the papers. In view of the settlement, leave is granted to compromise the matter. Hence, the following order is passed :

ORDER

I) The judgment and order of the learned Judicial Magistrate First Class, Court No.2, Osmanabad in SCC No.433 of 2012 dated 05.05.2015 convicting the accused to suffer SI for two months and to pay compensation of Rs.6 lakhs and in default to suffer SI for 15 days and confirmed in the judgment and order of the Additional Sessions Judge-1, Osmanabad in Criminal Appeal No.28 of 2015 dated 29.03.2022 and judgment and order of the learned Judicial Magistrate First Class, Court No.2, Osmanabad in SCC No.437 of 2012 sentencing the accused to suffer SI for two months and compensation of Rs.9 lakhs and in default to suffer SI for 15 days dated 05.05.2015 and confirmed in the judgment and order of the Additional Sessions Judge-1, Osmanabad in Criminal Appeal No.27 of 2015 dated 28.03.2022, are quashed and set aside.

II) The accused stands acquitted.

III) The bail bonds are cancelled and surety stand discharged.

IV) The compromise deed is taken on record and marked as 'A' in each case.

V) In the above terms, both revision applications stand disposed of.

(3)

VI) Pending applications, if any, also stand disposed of.

(S.G. MEHARE, J.)

Mujaheed//