

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL REVISION APPLICATION NO.113 OF 2020
WITH
CRIMINAL APPLICATION NO.2195 OF 2020

Kiran S/o Kishor Joshi

.... Applicant

Versus

Babasaheb S/o Sarjerao Fartade
and another

.... Respondents

.....

Mr. Vishal Chavan and Mr. Devang R. Deshmukh, Advocates for
Applicant

Mr. N.N. Bhagwat, Advocate for Respondent No.1

Mr. S.P. Deshmukh, APP for Respondent No.2

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[CORAM : S. G. CHAPALGAONKAR, J.]

DATE : 19th OCTOBER, 2023

ORDER :

1. Heard learned advocate appearing for the respective parties.
2. It is jointly submitted that the parties have settled the dispute before the *Lok Adalat* at the Court of Judicial Magistrate, First Class, Selu, District Parbhani. A Compromise was recorded on 09.09.2023. However, for the purpose of disposal of Criminal Revision Application and recording acquittal of the accused, the parties have filed joint compromise purshis before this Court, which is signed and verified by the complainant as well as the accused. Learned advocate appearing for the respective parties identifies the parties. Parties who are personally present before this Court confirms the compromise and accept the compromise terms. In that view of the matter, joint compromise purshis is taken

on record and marked as Exhibit 'X' for identification. Hence, the following order is passed:

ORDER

- (i) The Criminal Revision Application is allowed.
- (ii) Parties are permitted to compound the offence.
- (iii) The impugned Judgment and order of conviction passed by the learned Judicial Magistrate, First Class, Selu dated 21.03.2017 in S.C.C. No.274 of 2015 under section 138 of the Negotiable Instrument Act as well as the judgment and order dated 13.08.2020 passed by the Sessions Judge, Parbhani in Criminal Appeal No.34 of 2017, are hereby quashed and set aside.
- (iv) The applicant/accused is acquitted under section 255 of the Code of Criminal Procedure for the offence punishable under section 138 of the Negotiable Instruments Act.
- (v) The bail bonds of the accused stand cancelled. The surety stands discharged.
- (vi) Criminal Revision Application stands disposed of.
- (vii) Pending Cri. Application, if any, stands disposed of.

[S. G. CHAPALGAONKAR]
JUDGE

S.P. Rane