

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL REVISION APPLICATION NO.429 OF 2022

WITH

INTERIM APPLICATION NO.4093 OF 2022

AND

INTERIM APPLICATION NO.4095 OF 2022

IN

CRIMINAL REVISION APPLICATION NO.429 OF 2022

Dipak Vishnu Sawant .. Applicant

v/s.

Kirankumar Mulidhar More And Anr. .. Respondents

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Mr. Dhananjay D. Rananaware, for the Applicant.

Mr. R.M. Pethe, APP, for Respondent State.

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CORAM: R.G. AVACHAT, J.

DATE : 6 FEBRUARY 2023.

P.C:-

Heard.

2. The Applicant was convicted for offence punishable under Section 138 of the N.I. Act and, therefore, sentenced to suffer S.I. for one year and pay compensation of Rs.2,00,000/-. The Applicant has been unsuccessful in his appeal against conviction. He is, therefore, before this Court in revision.

3. Both the Applicant and the original complainant are present before this Court. They place on record settlement terms. Those are taken on record and marked “X” for identification.

4. In view of the aforesaid terms of compromise, the revision application is allowed. The order of conviction and consequential sentence imposed upon the Applicant is hereby set aside. He stands acquitted.

5. Rest of the things to follow in terms of compromise. The amount in deposit with the appellate court be paid to the complainant along with the interest accrued thereon immediately.

6. In view of the disposal of the revision application, nothing survives in the interim applications and the same are disposed of.

(R.G. AVACHAT, J.)