

GRM

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL REVISION APPLICATION NO. 33 OF 2023

Shankar Dattatray Bamane ... Applicant

V/s.

Mahalaxmi Gramin Bigar Sheti Sahakari
Peth Sanstha through Anil Dnyanu
Pandhare & Anr. ... Respondents

Ms. Tanvi Phatak i/b Mr. Sachin K. Hande, Adv. for the Applicant.

Ms. Anamika Malhotra, APP for the State/Respondent.

Mr. Padmanabh D. Pise, Adv. for Respondent No. 1.

Mr. Anil Dyanu Pandhare, Branch Manager present.

CORAM : R. G. AVACHAT, J.

DATED : FEBRUARY 15, 2023

P.C. :

Heard.

2. Learned Advocates for both the parties to this revision application would submit that the matter has been settled and they propose to file Consent Terms before this Court after one week.

3. The complainant Mr. Anil Dyanu Pandhare, the official of bank, is present before this Court. He submits that the entire cheque amount has been received from the applicant/convict and therefore, he has no objection if the revision application is allowed or disposed of in view of the settlement.

4. In view of the aforesaid statement, the revision application is

allowed. The order convicting the applicant for the offence punishable under Section 138 of the Negotiable Instruments Act, 1881 and the consequential sentence, is therefore set aside. He stands acquitted. If any amount has been deposited by the applicant with any of the Courts mainly the Trial Court or the Appellate Court, the same be paid to him with the interest accrued thereon.

(R. G. AVACHAT, J.)