

AGK

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

**INTERIM APPLICATION NO.1395 OF 2023
IN
CRIMINAL REVISION APPLICATION NO.98 OF 2023**

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Ravindra Bhaskarrao Nirghude

... Applicant

V/s.

Late Ashokrao Bankar Nanari Sahakari

Patsanstha Maryadit, Pimpalgaon B.

through Milind Prabhakar Shinde

... Respondent

Mr. Sachin Gite for the applicant in IA.

Mr. Pratik Rahade for respondent no.1.

Mr. A.R. Patil, APP for respondent no.2/State.

CORAM : AMIT BORKAR, J.

DATED : MAY 2, 2023

PC.:

1. The criminal revision application arises out of conviction of the applicant in a proceedings under Section 138 of the Negotiable Instruments Act, 1881. The applicant has been convicted by both the Courts below. Hence, he has filed present criminal revision application.

2. During the pendency of the present criminal revision application, the applicant and respondent no.1 have amicably resolved their disputes and have filed consent terms signed by the parties. The consent terms are taken on record and marked 'X' for

identification.

3. In the consent terms, respondent no.1 has stated on oath that in view of payment made by the applicant, he has no objection for setting aside the order of conviction passed by the Courts below. Hence, following order:

4. The impugned judgment and order dated 27 March 2023 passed by the learned Additional Sessions Judge, Niphad in Criminal Appeal No.34 of 2023 confirming order dated 21 August 2012 passed by the learned Judicial Magistrate First Class, Pimpalgaon Baswant in Criminal Case No.699 of 2009 are quashed and set aside.

5. The interim application stands disposed of in above terms. No costs.

(AMIT BORKAR, J.)