

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL REVISION APPLICATION NO.365 OF 2022

WITH

INTERIM APPLICATION NO.3190 OF 2022

IN

CRIMINAL REVISION APPLICATION NO.365 OF 2022

Kantilal Bhanudas Chavan .. Applicant

v/s.

Kishor Bhaskarrao Darekar And Anr. .. Respondents

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Mr. Vaibhav Kulkarni, for the Applicant.

Mr. N.G. Rokade, for the Respondent/Original Complainant.

Mr. Arfan Sait, APP, for State.

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CORAM: R.G. AVACHAT, J.

DATE : 18 JANUARY 2023.

P.C:-

The parties to this revision application have settled the matter. Consent terms, verified before the Notary, have been placed on record, marked "X" for identification. Both the parties are also present before this Court.

2. This proceeding is arising out of 138 N.I. Act. The Applicant was convicted by the trial court. The appellate court confirmed the conviction.

3. It is informed that the Applicant/accused has deposited a sum of Rs.1,00,000/- in the appellate court and Rs.1,25,000/- in this Court.

4. The said amount shall be paid to the complainant/Respondent. The complainant also admits to have received a sum of Rs.50,000/- in cash.

5. In view of the settlement in aforesaid terms, the revision application is allowed.

6. The order of conviction for offence under Section 138 N.I. Act and consequential sentence is hereby set aside. The Applicant/accused stands acquitted under Section 138 of the N.I. Act. The amount in deposit with this Court and that in the appellate court be paid to the Respondent/complainant immediately.

7. Interim Application No.3190 of 2022 stands disposed of.

(R.G. AVACHAT, J.)