

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

**CRIMINAL REVISION APPLICATION NO. 327 OF 2023  
WITH  
INTERIM APPLICATION NO.3770 OF 2023  
WITH  
INTERIM APPLICATION NO.3974 OF 2023  
IN  
CRIMINAL REVISION APPLICATION NO. 327 OF 2023**

Swati Kacheshwar Kalunge  
Proprietor of M/s Jyoti Polymers. ... Applicant  
Versus  
State of Maharashtra and Anr. ... Respondents

.....  
Mr. S. K. Dubey i/b P. V. Dubey, for the Applicant.  
Mrs. G. P. Mulekar, APP, for Respondent No.1-State.  
Mr. U. L. Shah, for Respondent No.2.

.....

**CORAM : PRITHVIRAJ K. CHAVAN, J.**

**DATED : 8<sup>th</sup> NOVEMBER, 2023.**

**P.C.**

Applicant-Smt. Swati Kacheshwar Kalunge and the authorized representative of respondent No.2-Mr. Vipul Bhat are present today in the Court alongwith their respective Advocates.

2 The applicant has been convicted and sentenced by learned Metropolitan Magistrate, 16<sup>th</sup> Court, Ballard-Pier, Mumbai in

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Criminal Case No. 923/SS/2011 for the offence punishable under Section 138 of the Negotiable Instruments Act, since a cheque issued by her in favour of respondent No.2 in the sum of Rs.12,32,380.40 was dishonoured.

3 The Appeal preferred by the applicant before the Sessions Court, Mumbai, bearing No. 296 of 2021 also came to be dismissed on 8<sup>th</sup> September, 2023, thereby confirming the conviction and sentenced awarded by Magistrate's Court.

4 The applicant has, therefore, preferred the present Revision Application.

5 The parties have now amicably settled the dispute in view of the Consent Terms, which are tendered on record today. The same are marked as **'X' for identification**. The Consent Terms are duly signed by the applicant-Smt.Swati Kacheshwar Kalunge, representative of respondent No.2- Mr. Vipul Bhat as well as their respective Counsel.

6 The parties and learned Counsel submit that in view of the recitals of the Consent Terms the dispute has been settled.

7 Permission to compound the offence is granted.

8 In view of the Consent Terms, the impugned judgment of conviction and sentence awarded by the Magistrate's Court and confirmed by the lower Appellate Court is set aside.

9 The applicant is acquitted of the offence punishable under Section 138 of the Negotiable Instruments Act.

10 Her bail bonds shall stand cancelled.

11 The Revision Application stands disposed of in the aforesaid terms.

12 In view of disposal of the Revision Application, all pending Interim Applications shall also stand disposed of.

[PRITHVIRAJ K. CHAVAN, J.]