



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL REVISION APPLICATION NO. 404 OF 2005

VITHAL DIGAMBAR JARE
VERSUS
NANDLAL FULCHAND KOTHARI

...
Advocate for Applicant : Mr. V. C. Patil Ashtekar
Advocate for Respondent No.1 : Mr. D. G. Nagode
...

CORAM : S. G. MEHARE, J.

DATE : 28-06-2024

PER COURT :-

1. Heard the respective learned counsel.
2. The applicant has paid amount of Rs.25,000/- by demand draft to respondent against the debt. Respondent is suffering from various diseases. Hence, bedridden. He has instructed his counsel to compound the matter on payment of Rs.25,000/-. Since he is unable to attend the Court due to physical inability, statement of his counsel on his behalf is accepted and the matter is compounded.
3. In view of the amicable settlement, the offence under Section 138 of the Negotiable Instruments Act, 1881 (for short, "N.I.Act") is compounded.

4. Criminal revision application stands disposed of, in view of compounding of the offence.
5. The judgment and order of the learned Judicial Magistrate First Class, Court No.3, Ahmednagar, passed in S.T.C.No.467 of 1995 dated 27.11.2003 and the judgment and order of the learned Ad-hoc Additional Sessions Judge, Ahmednagar, passed in Criminal Appeal No.90 of 2003 dated 30.11.2005, stand quashed and set aside.
6. The applicant/accused is acquitted of the offence punishable under Section 138 of the N.I.Act.
7. His bail bonds and surety bonds stand discharged.
8. R & P be returned to the learned trial Court.

(S. G. MEHARE)
JUDGE

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