

vinita

IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL REVISION APPLICATION NO.25 OF 2023

WITH

CRIMINAL MISC. APPLICATION NO.86 OF 2023

CRIMINAL REVISION APPLICATION NO.25 OF 2023

NARAYAN SURYAKANT BORKAR

... APPLICANT

Versus

THE SAHA UDHAR URBAN CREDIT
CO-OPERATIVE SOCIETY LTD. REP. BY
AUTH. REP. YESHWANT S. PHADTE AND
ANR

... RESPONDENTS

WITH

CRIMINAL MISC. APPLICATION NO.86 OF 2023

NARAYAN SURYAKANT BORKAR

... APPLICANT

Versus

THE SAHA UDHAR URBAN CREDIT
CO-OPERATIVE SOCIETY LTD. REP. BY
AUTH. REP. YESHWANT S. PHADTE AND
ANR

... RESPONDENTS

Mr O. Parab, Advocate holding for Mr I. Santimano, Advocate for the applicant.

Mr P. Karpe and Ms K. Gawde, Advocate for respondent no.1.

Mr G. Nagvekar, Addl. Public Prosecutor for respondent no.2.

CORAM:- BHARAT P. DESHPANDE, J.

DATED :- 16th January, 2024

P.C.

Heard learned counsel for the parties.

2. Today, applicant as well as respondent no.1 filed application for compounding. Applicant has deposited an amount of Rs.15,000/- in this Court. Cheque amount was Rs.12,312/-. Learned Magistrate,

apart from awarding simple imprisonment of 15 days, directed the applicant to pay compensation of Rs.15,000/- .Said order was confirmed by the Appellate Court.

3. Respondent no.1 is ready and willing to accept the amount of Rs.15,000/- which is deposited in this Court in order to compound the said offence.

4. Application for compounding signed by both the parties is therefore taken on record and marked "X" for identification.

5. Applicant is ready and willing to pay amount of 15% of the compensation awarded by Courts below, in this Court within a period of one week as per decision of the Apex Court in the case of Damodar S. Prabhu Vs Sayed Babalal H. Reported in (2010) 5 SCC 663.

Registry to accept such amount of 15% which the applicant undertakes to deposit within one week. Only after deposit of such amount, permission to compound the offence shall be granted.

6. Respondent no. 1 is permitted to withdraw amount of Rs.15,000/- deposited by the applicant in this Court.

7. Parties are therefore, permitted to compound the offence subject to deposit of 15% in this Court within a period of one week.

8. On depositing such amount, impugned judgments as well as sentence of imprisonment shall stand quashed and set aside. Respondent no.1 is permitted to withdraw the amount deposited with the Registry. Place the matter for compliance on 23.1.2024.

9. Revision application along with pending applications, if any, stand disposed of.

BHARAT P. DESHPANDE, J.

VINITA VIKAS NAIK

Digitally signed by VINITA VIKAS NAIK
Date: 2024.01.16 10:13:54 +0530