

Meena

IN THE HIGH COURT OF BOMBAY AT GOA

**CRIMINAL REVISION APPLICATION NO.3 OF 2024
WITH
CRIMINAL MISC. APPLICATION NO.1 OF 2024**

CRIMINAL REVISION APPLICATION NO.3 OF 2024

SHEKHAR VISHWANATH DHOND, THR.
NEXT FRIEND RIDDESH MAHESH
SUKHTANKAR

... APPLICANT

Versus

DAYANAND URBAN COOPERATIVE CREDIT
SOCIETY LTD., REP. BY ITS BR.
MANAGER, NITESH NARAYAN NAIK AND
ANR

... RESPONDENTS

WITH

CRIMINAL MISC. APPLICATION NO.1 OF 2024

SHEKHAR VISHWANATH DHOND, THR.
RIDDESH MAHESH SUKHTANKAR

... APPLICANT

Versus

DAYANAND URBAN COOPERATIVE CREDIT
SOCIETY LTD., REP. BY ITS BR.
MANAGER, NITESH NARAYAN NAIK AND
ANR

... RESPONDENTS

Mr. A.D. Bhobe with Ms. Shaizeen Shaikh, Advocates for the
Applicant.

Mr. Omkar Parab h/f. Mr. Jatin Ramaiya, Advocate for Respondent
No.1.

Mr. Gaurish Nagvenker, Additional Public Prosecutor for
Respondent No.2.

CORAM:- BHARAT P. DESHPANDE, J.

DATED :- 29th April, 2024

P.C.:

1. Mr. Bhobe appears for the applicant and Mr. Omkar Parab appears
for respondent No.1 - society and Mr. G. Nagvenkar, learned

Additional Public Prosecutor appears for the State.

2. The application is filed for compounding of the offence since the entire amount is deposited with this Court as well as the Sessions Court.

3. The learned Counsel for the respondent- Society admits that the entire amount is deposited however he prays that the amount deposited before this Court as well as the Sessions Court be allowed to be withdrawn.

4. Mr. Bhobe appearing for the applicant submits that the applicant is ready and willing to pay 15% of the cheque amount i.e. Rs.19,207/- as per the decision of the Apex Court in the case of Damodar S. Prabhu vs Sayed Babalal H [2010 (5) SCC 663], today itself.

5. The learned Counsel for the Society submits that the said society be allowed to withdraw the entire amount deposited by the applicant in this Court as well as before the First Appellate Court. The learned Counsel for the Society on this assurance gave no objection for the compounding of the offences.

6. Accordingly, the application stands allowed. Permission granted to compound the offence as provided under Section 147 of the N.I. Act, on deposit of 15% of the cheque amount with the Goa State Legal

Services Authority today itself. Once such amount is deposited, the application for compounding shall stand allowed thereby quashed and set aside the orders of conviction passed by the Trial Court and confirmed by the First Appellate Court.

7. The Registry to exchange the cheque amount in the name of the Goa State Legal Services Authority towards 15% i.e. Rs.19,207/- . Similarly, respondent No.1- Society is permitted to withdraw the amount deposited by the applicant in this Court as well as before the First Appellate Court.

8. Proceedings stand disposed of in the above terms.

BHARAT P. DESHPANDE, J.

MEENA
VISHAL BHOIR

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