



Santosh

IN THE HIGH COURT OF BOMBAY AT GOA
CRIMINAL REVISION APPLICATION NO.16 OF 2021

GEORGE SANTAMARIA

... APPLICANT

Versus

DIAGO FERNANDES AND ANR

... RESPONDENTS

WITH
CRIMINAL MISC. APPLN. NO.71/2021

Shri Rohan P. Desai, with Ms Esha Ghodekar and P. Pathak,
Advocates for the Applicant.

Shri Mangurish Kenkre with Ms Vitshware Keluskar, Advocates for
the Respondent No.1.

CORAM:- VALMIKI MENEZES, J.

DATED :- 16th August, 2024

P.C. :

1. Pursuant to this Court's order of 9th August 2024, the matter was taken up today to record whether the Applicant has complied with the directions contained in the said order. The Applicant has placed on record an extract of bank transaction details to substantiate that he has transferred to Goa State Legal Services Authority an amount of Rs.97,500/- being the amount corresponding to 15% of the amount stated in the dishonoured cheque, in compliance with the directions of the Hon'ble Supreme Court in Damodar S. Prabhu vs. Sayed Babalal H., reported in 2010 5 SCC 633.

2. Since there is full compliance on the part of the Applicant, in addition to which Respondent No.1 has withdrawn the pending suit for recovery of the cheque amount, nothing further survives in this Criminal Revision Application.

3. Since the matter has been fully compounded in terms of Section 147 of The Negotiable Instruments Act, the Applicant stands acquitted of the offence under Section 138 of the N.I. Act.

4. Criminal Revision Application No.16/2021 stands disposed of.

5. In view of the fact that the Applicant-Accused has been acquitted, nothing survives in Criminal Misc. Civil Application No.71/2021. The same is disposed of accordingly.

VALMIKI MENEZES, J.