



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL WRIT PETITION NO.309 OF 2024

[Mansi Manish Ghadge ..Vs.. Shatatarka Nagari Sahkari Pat Sanstha
Maryadit]

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders.*

Court's or Judge's order

Mr A. H. Daga, Advocate for Petitioner.

Mr G. K. Bhusari, Advocate a/b Ms A. G. Shelke, Advocate for Respondent.

CORAM : M. W. CHANDWANI, J.

DATE : 8th APRIL, 2024.

. Heard.

2. Issue notice to the respondent. Mr Bhusari, learned counsel, waives notice on behalf of respondent.

3. Heard both the parties.

4. The order dated 28.03.2024, passed by the learned 11th Joint Civil Judge Senior Division and ACJM (Special) Court, Nagpur, thereby rejecting the application of the petitioner for referring the matter to mediation, is under challenge.

5. It is not necessary to go into the details of the matter. It is suffice to say that the learned Trial Court rejected the application filed by the complainant as well as accused for referring the matter for mediation on the premise that the accused agreed to pay the amount decided by the complainant within nine months. Since the matter is of ten years old, needless to mention that the offence under Section 138 of the Negotiable Instruments Act, 1881, is compoundable and when both the parties are coming forward

for settling the dispute, the learned ACJM, Nagpur, should have sent the matter for mediation.

6. Be that as it may, now both the parties are ad-idem in contending that the matter is settled, they will place the agreement before the learned Trial Court on next date of hearing, so that the matter can be disposed of by way of settlement. In wake of the statement made, the criminal writ petition is disposed off.

(JUDGE)