



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

CRIMINAL REVISION APPLICATION (REVN) NO.115 OF 2023

[Suresh Shankarrao Waghmare ..Vs.. Shrikant Shankarrao Raut.]

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

Court's or Judge's order

Mr S. P. Kshirsagar, Advocate for Applicant.
Mr V. B. Palorkar, Advocate for Non-Applicant.

CORAM : M. W. CHANDWANI, J.

DATE : 18th MARCH, 2024.

. Heard.

2. The learned counsels appearing for both the parties submit that the matter has been settled mutually between the parties. A joint pursis signed by both the parties and their counsels filed in this regard, which is taken on record and marked "X" for identification.

3. Both the parties are present in the Court today and are identified by their respective counsel. I have enquired with them regarding the settlement and on enquiry, they have admitted settlement between them.

4. Since the matter has been compounded by the parties to the revision application, therefore the impugned order dated 13.03.2020 passed by the learned 2nd Additional Chief Judicial Magistrate, Nagpur, in Summary Criminal Case No.11552 of 2016, convicting the applicant/accused for the offence punishable under Section 138 of the Negotiable Instrument Act, 1881 (for short, "the N. I. Act") is hereby set aside. Consequently, the impugned order dated 18.02.2023 passed by the learned Additional Sessions Judge-12, Nagpur, in Criminal

Appeal No.82 of 2020, confirming the order of Appellate Court is also set aside. The applicant is acquitted from the offence punishable under Section 138 of the N.I. Act, in Summary Criminal Case No.11552 of 2016.

5. As per the terms of settlement, the non-applicant is permitted to withdraw Rs.1,20,000/- deposited in this Court and Rs.40,000/- deposited before the Appellate Court by the applicant with accrued interest, if any.

6. The application is disposed of in above terms.

(JUDGE)