



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

CRIMINAL REVISION APPLICATION NO.226 OF 2023
WITH
CRIMINAL REVISION APPLICATION NO.227 OF 2023
WITH
CRIMINAL REVISION APPLICATION NO.228 OF 2023

Mrs. Rajeshree Rambahadur Yadav

Vs.

Mr. Chandravilas Chandrashekhhar Handa and another

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

Court's or Judge's orders.

Shri A.S. Bhagwat, Advocate for applicant.
Shri J.M. Gandhi, Advocate for non-applicant no.1.
Shri H.D. Dubey, APP for non-applicant no.2/State.

CORAM : M.W. CHANDWANI, J.
DATE : MARCH 22, 2024.

It is common ground that the amount of compensation awarded by the trial Court has already been deposited in this Court as well as in the trial Court from time to time. Rather amount of compensation has been deposited in excess in all these three criminal revision applications.

2. It is common ground that since the amount has already been deposited, the offence punishable under section 138 of the Negotiable Instruments Act may be allowed to compound.

3. Accordingly, permission to compound the offence is granted. Hence, the following order :

ORDER

- i. The criminal applications are allowed.
- ii. The impugned order dated 18.03.2010 passed in Criminal Complaint No.2114/2007, order dated 18.03.2010 passed in Criminal Complaint No.2112/2007 and order dated 17.03.2010 passed in Criminal Complaint No.2113/2007 by the learned 25th Judicial Magistrate First Class, Nagpur are hereby quashed and set aside.
- iii. The applicant is acquitted of the offence punishable under Section 138 of the Negotiable Instruments Act.
- iv. The amount deposited by the applicant in the trial Court as well as in this Court, including excess amount of Rs.45,000/-, shall be given to the non-applicant no.1.

In above terms, the revision applications are disposed of.

JUDGE

Wagh