



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL REVISION APPLICATION NO. 165 OF 2025

Gorakshnath Ramakant Landage
Age: 58 Years, Occu. : Business,
R/o.Aazad Chowk, Lohar Galli,
Rahuri, Tq. Rahuri, Dist.Ahmednagar. ..Applicant

Versus

M/s Prakash Hiralal Gandhi,
Through their partners,
1] Prakashlal Hiralal Gandhi
Age: 69 Years, Occu : Business,
2] Rameshlal Hiralal Gandhi
Age : 67 Years, Occu : Business,
3] Ashoklal Hiralal Gandhi
Age: 65 Years, Occu : Business,
All R/o. 2191, Aadate Bazaar,
Ahmednagar Tq. Dist.Ahmednagar.
4] The State of Maharashtra
Through DGP, Ahmednagar.
(Formal Party). ..Respondents

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Advocate for Applicant : Mr. Prafful Janardhan Sagalgile
Advocate for Respondent nos.1 to 3 : Mr.Saad H.Shaikh
APP for Respondent no.4 : Mr.S.A.Gaikwad

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**WITH CRIMINAL APPLICATION NO. 1710 OF 2025
IN REVN/165/2025**

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CORAM : ABHAY S. WAGHWASE, J.

DATE : 11 NOVEMBER, 2025

ORDER :-

1. In this revision, exception has been taken to the judgment and

order dated 05-04-2025 passed by learned Additional Sessions Judge, Ahmednagar, in Criminal Appeal No.263 of 2023 arising out of judgment and order dated 28-08-2023 passed by learned Additional Chief Judicial Magistrate (Court No.8), Ahmednagar in S.C.C. No.4554 of 2020, recording guilt of revisionist for offence punishable under section 138 of the Negotiable Instruments Act, 1881.

2. Learned counsel for applicant pointed out that, above Criminal Revision Application is preferred challenging judgment and order in criminal appeal passed by learned Additional Sessions Judge, Ahmednagar. That, said appeal before learned Additional Sessions Judge was in consequence to conviction recorded by learned Additional Chief Judicial Magistrate (Court No.8), Ahmednagar, under section 138 of the Negotiable Instruments Act.

It is next submitted that, subsequently, matter is compromised and as such respondents has no grievance surviving and purshis/terms of compromise (consent terms) to that extent has been placed on record. Learned counsel invited attention of the court to the consent terms and ultimately submits that in view of such supervening events, as nothing survives, he prays to dispose of the revision by holding it as settled.

3. Learned counsel for respondent nos.1 to 3 fairly conceded that settlement has been reached at and respondent nos.1 to 3 has no further grievance as all disputes have come to an end.

4. Considering the above submissions and statement made across the bar by learned counsel about compromise being forged between the parties and parties are present before this court with terms of consent, revision application is required to be disposed of as settled.

5. Learned counsel for applicant also fairly points out that he has no objection for withdrawal of amount deposited in the trial Court and there is reference to that extent in the purshis.

In view of above, trial Court to permit withdrawal of amount.

Hence, the following order :-

ORDER

(i) Leave to compound the offence is granted.

(ii) In view of this, the conviction of the applicant, and the sentence imposed upon him, vide order in S.C.C. No.4554 of 2020 passed by the learned Additional Chief Judicial Magistrate, Ahmednagar, dated 28-08-2023 and as confirmed by the learned Additional Sessions Judge, Ahmednagar in Criminal Appeal No.263 of 2023, vide Judgment and order dated 05-04-2025, are set aside.

(iii) The applicant stands acquitted. His bail bonds are discharged.

(iv) The respondent nos.1 to 3 are permitted to withdraw the amount deposited by the applicant in the trial Court.

(v) Criminal Revision Application is accordingly disposed of.

(vi) Criminal Application No.1710 of 2025 does not survive and accordingly the same is also disposed of.

(ABHAY S. WAGHWASE)
JUDGE