



Corrected Order as per speaking to minutes order dated 09-12-2025.

{1}

REVN 180 OF 2025 corrected

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

**CRIMINAL REVISION APPLICATION NO. 180 OF 2025
WITH
CRIMINAL APPLICATION NO. 1898 OF 2025
IN REVN/180/2025**

Kapil Garg

Age : 53 years, Occu.: Business,
R/o. C/o. : Kaasa Rama Private Ltd.,
SCO 114, Phase 2, Urban Estate,
Patiala (Punjab).

..Applicant
(Original Accused)

Versus

1) Mahindra & Mahindra Ltd.,
Through Power of Attorney
Amitkumar Raghav
Age: 36 years, Occu.: Service,
R/o. S.A.S. Nagar, Mohali (Punjab).

2) State of Maharashtra

..Respondents

...

Advocate for Applicant : Mr. Nikhil Santosh Jaju

Advocate for Respondent no.1 : Mr.L.B.Palod

APP for Respondent no.2 : Ms.P.V. Diggikar

....

CORAM : ABHAY S. WAGHWASE, J.

DATE : 04 NOVEMBER, 2025

ORDER :-

1. In this revision, exception has been taken to the judgment and order dated 14-11-2024 passed by learned Additional Sessions Judge,

Ahmednagar, in Criminal Appeal No.197 of 2014 arising out of judgment and order dated 28-08-2014 passed by learned Judicial Magistrate First Class, Ahmednagar in S.T.C. No.2822 of 2008 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 Judicial Magistrate First Class, Ahmednagar in proceedings under section 138 of Negotiable Instruments Act.

It is next submitted that, subsequently, matter is compromised and as such respondent no.1 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 no.1 fairly conceded that settlement has been reached at and respondent no.1 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.T.C. No. 2822 of 2008 passed by the learned Judicial Magistrate First Class, Ahmednagar, dated 28-08-2014 and as confirmed by the learned Additional Sessions Judge, Ahmednagar in Criminal Appeal No. 197 of 2014, vide Judgment and order dated 14-11-2024, are set aside.

Corrected Order as per speaking to minutes order dated 09-12-2025.

{4}

REVN 180 OF 2025 corrected

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

(iv) Applicant is permitted to withdraw the amount deposited by the applicant before Sessions Court.

(v) Criminal Revision Application is accordingly disposed of.

(vi) Criminal Application No.1898 of 2025 does not survive and accordingly the same is also disposed of.

**(ABHAY S. WAGHWASE)
JUDGE**

SPT