



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

CRIMINAL REVISION APPLICATION NO. 174 OF 2024

Kakasaheb Sudamrao Jarhad

VERSUS

Suresh Punjaram Jadahv

Mr. R. R. Imale, Advocate for Applicant

Mr. R. K. Pathan, Advocate for Respondent

CORAM : ADVAIT M. SETHNA, J.

DATE : 19 JULY 2025

P. C. :-

1. Heard learned counsel for the parties.
2. The present Application has been filed by the Applicant to assail judgment and order dated 15 June 2024 passed in Criminal Appeal No. 52 of 2023 by the learned Additional Sessions Judge, Aurangabad. By the said order and judgment dated 16 February 2023 passed by the learned Judicial Magistrate First Class (Court No. 14) in S.C.C. No. 10113 of 2019 was confirmed. The operative part of the said order of JMFC which reads thus :-

1. Accused Kakasaheb Sudamrao Jarhad, Age 49 years, is convicted under Section 255 (2) of the Code of Criminal Procedure, for an offence punishable under Section 138 of the Negotiable Instrument Act and sentenced him to suffer

Simple Imprisonment for three months.

2. Accused is directed to pay compensation Rs. 15,08,220/- (Rs. Fifteen Lacks Eight Thousands Two Hundred Twenty Only) to the complainant within three months from today in default to suffer Simple Imprisonment for two months.

3. Accused shall surrender his bail bonds.

4. Muddemal being an original cheque and bank memos, be returned to the complainant after appeal period is over.

*5. Copy of this judgment shall be given to the accused free of costs forthwith.
(Dictated and pronounced in open Court)*

3. Both the learned counsel for the parties conjointly would submit that during the pendency of these proceedings the parties have entered into a compromise. Such compromise is evidenced by a Compromise Purshis - Consent terms dated 26 June 2025. Such Consent Terms in original have been taken on record marked as 'Exhibit X' for identification. By such consent terms, the parties have, *inter alia*, agreed that the applicant shall pay Rs. 6,00,000/- (six lakhs) in addition to the amount already received by the Respondent. The Respondent shall not continued to prosecute this Revision Application. The Complaint bearing S.C.C. No. 102 of 2023 against the Respondent in the Court of Judicial

Magistrate First Class, Badanapur, District Jalna, under Section 138 of the Negotiable Instrument Act, 1881, shall also be withdrawn by the Applicant.

4. Applicant Mr. Kakasaheb Sudamrao Jarhad and the Respondent Mr. Suresh Punjaram Jadhav are personally present in the Court. There are no other parties besides the ones noted in these proceedings. Such Compromise/Consent terms have been signed by both the Applicant and the Respondent and also by their respective advocates.

5. There is no dispute with regard to the signature appended on the Consent terms as well as on the Verification Clause. The parties have understood the contents of these Consent terms which are duly supported by separate Affidavit of the Applicant and the Affidavit of the Respondent which is filed online in these proceedings.

6. Both the learned counsel for the parties submit that considering the sentence imposed of three months under the Negotiable Instrument Act, 1881, on the Applicant, the same is compoundable.

7. Taking into account, the totality of all facts and circumstances and also the Consent Terms which are filed before this Court, it would be

just and proper to pass the following order :-

ORDER

- 1) The Criminal Revision Application No. 174 of 2024 is decreed in terms of the Compromise/Consent terms dated 26 June 2025.
- 2) Decree to be drawn up accordingly.
- 3) In light of the above, pending Application/s, if any, filed in the Criminal Revision Application are accordingly disposed of.

(ADVAIT M. SETHNA, J.)

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