



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

62 CRIMINAL REVISION APPLICATION NO. 362 OF 2023

Rahul Dnyandeo Satpute,
Age : 32 years, Occ: Contractor,
R/o: Arnav Enterprises, Vidyanagar,
Sangamner, Tq. Sangamner and
District Ahmednagar.

... Applicant

Versus

Mohammad Husen Kadarbhai Bagwan
Age : 55 years, Occ: Hotel Business,
R/o Suvidha Housing Society, Orange Corner,
Sangamner, Tq. Sangamner, Dist. Ahmednagar. ... Respondent

...

Advocate for Applicant : Ms. Sunita G. Sonawane

Advocate for Respondent : Mr. Mahesh K. Sana h/f Mr. V. H. Rathod

...

CORAM : ABHAY S. WAGHWASE, J.

DATED : 03 MARCH 2025

PER COURT :-

1. In this revision, exception has been taken to the judgment and order dated 02.12.2023 passed by learned Additional Sessions Judge, Sangamner, District Ahmednagar in Criminal Appeal No. 31 of 2022, arising out of the judgment and order dated 10.06.2022 passed by learned Additional Chief Judicial Magistrate, Sangamner in S.C.C. No. 1460 of 2020 recording guilt of the revisionist for offence under Section 138 of the Negotiable Instruments Act, 1881.

2. Learned counsel for both sides are present in the court. They submit that matter is amicably settled and respondent has no grievance. An affidavit to that effect is also placed on record.

3. Considering the above submissions and the and in view of the affidavit filed by the respondent, the criminal revision application is required to be disposed off as settled. Hence, the following order :

ORDER

I. Leave to compound the offence is granted.

II. In view of settlement, the conviction of the revisionist for offence under Section 138 of the Negotiable Instruments Act, 1881, and the sentence imposed upon him vide judgment and order dated 10.06.2022 passed by learned A.C.J.M., Sangamner in S.C.C. No. 1460 of 2020, and as confirmed by the learned Additional Sessions Judge, Sangamner in Criminal Appeal No. 31 of 2022 by judgment and order dated 02.12.2023, is set aside.

III. The applicant stands acquitted of the offence under Section 138 of the Negotiable Instruments Act, 1881. His bail bonds are discharged.

[ABHAY S. WAGHWASE, J.]