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IN THE HIGH COURT OF BOMBAY AT GOA
CRIMINAL REVISION APPLICATION NO. 14 OF 2024

Bharat Laxman Naik

... Applicant

Versus

The Pirna Urban Cooperative Credit Society Ltd.
Rep. by its Manager, Balkrishna Raul

... Respondent

Ms. Gautami Kamat, Advocate for the Applicant under Legal Aid Scheme.

Mr. Arjun Ankush Gawas, Recovery Officer of the Bank, present in person.

CORAM : VALMIKI MENEZES, J.

DATED : 24TH MARCH, 2025.

ORDER:

1. An application for compounding of offence under Section 359 of Bhartiya Nagrik Suraksha Sanhita 2023 and Section 147 of the Negotiable Instruments Act, 1881 has been filed. The Applicant was convicted by the Judgment and order dated 29.01.2018 of the J.M.F.C. 'B' Court, Bicholim and the same was confirmed by the District Judge-1 & Additional Sessions Judge, Mapusa dismissing the Appellant's/Applicant's Criminal Appeal No. 103/2018, upholding the sentence imposed by the J.M.F.C. at Bicholim in Criminal Case No.126/138/NIA/2017/B. The Applicant was sentenced till rising of the Court and to pay/deposit compensation of Rs.35,000/- (Rupees Thirty Five Thousand only) either to the Complainant or in the Court within a period of three months and in default

to undergo simple imprisonment for a period of six months and pay compensation of Rs. 40,000/- (Rupees Forty Thousand only).

2. The above application for compounding of the offence is signed by the Applicant, Advocate for the Applicant and Recovery Officer of the Bank, who has consented to compound the offence.

3. Learned Advocate for the Applicant submits that an amount of Rs. 6750/- (Rupees Six Thousand Seven Hundred and Fifty only) which constitutes 15% of the cheque amount is deposited with the Goa State Legal Services Authority today i.e. on 24.03.2025, in terms of the judgment rendered by the Hon'ble Supreme Court in ***Damodar Prabhu v/s. Sayed Babalal H.***, reported in (2010) 5 SCC 663.

4. Consequently, the offence stands compounded and the Applicant stands acquitted of the offence under Section 138 of the Negotiable Instruments Act.

5. The application stands disposed of accordingly.

VALMIKI MENEZES, J.