



Meena

IN THE HIGH COURT OF BOMBAY AT GOA
CRIMINAL REVISION APPLICATION NO.35 OF 2025
WITH
CRIMINAL MISC. APPLICATION NO.101 OF 2025

CRIMINAL REVISION APPLICATION NO.35 OF 2025
DAMODAR V. GAONKAR ... APPLICANT

Versus

THE VIVIDHA URBAN CO-OPERATIVE CR.
SOC. LTD., REP. BY MANJILA
SANTOSH VERENKAR AND ANR ... RESPONDENTS

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Mr. Ashay Priolkar, Advocate for the Applicant.
Mr. G. Nagvenker, Additional Public Prosecutor for the State.

CORAM:- VALMIKI MENEZES, J.

DATED :- 17th September, 2025

P.C.:

1. The Registry to waive office objections and register the matter.
2. This is an application for compounding the offence under Section 138 of the Negotiable Instruments Act, of which the Accused/Applicant has been convicted by an order dated 21.10.2022

passed by the JMFC, Ponda, in case No. 928/OA/NIA/2018/B. The Applicant was sentenced to undergo imprisonment of one month and to pay compensation of Rs.66,000/- and, in default, to undergo imprisonment for two months. The order of the Magistrate was upheld by the Sessions Court on 06.09.2023 in Criminal Appeal No.157/2022, against which the present revision application was filed.

3. In the meantime, the entire compensation amount has been paid, and a Certificate to that effect has been issued by Respondent No.1 - Credit Society. The Respondent No.1 has also signed the compounding application through the Legal Officer duly appointed by a Resolution of the Board of the Respondent No.1. The Respondent No.1 has no objection for compounding the offence and to acquit the Applicant.

4. The Applicant has also deposited the amount of Rs.11,100/- toward the penalty in terms of the Judgment of Hon'ble Supreme Court in the case of Damodar S. Prabhu v/s. Sayed Babalal H.[2010(5) SCC 663] with the Goa State Legal Services Authority, receipt of which is annexed to the application.

5. In view of the above facts, the compounding application is allowed.

6. The Applicant stands acquitted of the offence under Section 138 of

the NI Act.

7. Criminal Revision Application stands disposed of. Pending application, if any, also stands disposed of.

VALMIKI MENEZES, J.