



IN THE HIGH COURT OF BOMBAY AT GOA
CRIMINAL MISC. APPLICATION NO. 100 OF 2025
IN
CRIMINAL REVISION APPLICATION NO. 34 OF 2025

ELVIS TEMUDO

... APPLICANT

V/S.

**THE GOKUL URBAN CO-OP. CREDIT
SOCIETY LTD THROUGH ITS AUTH
REP. NARAYAN SADASHIV VALAVALKAR ...RESPONDENT**

Mr. Sagar Dhargalkar, Advocate for the Applicant

Mr. Pravin Faldessai, Additional Public Prosecutor for Respondent
No.2.

CORAM:- VALMIKI MENEZES, J.

DATED :- 16th September, 2025

ORAL ORDER:

1. Registry to waive office objections and register the matter.
2. An application for compounding of offence under Section 147 of the NI Act has been filed by the Applicant on the ground that the Applicant has paid to the Respondent the entire compensation under order dated 13.12.2022 passed by the JMFC “B” Court Ponda in Criminal Case No.454/OA/NIA/2019/B. The JMFC by

aforementioned order had convicted the Applicant for offence under Section 138 of the NI Act and had sentenced the Applicant to undergo two months imprisonment and to pay compensation of Rs.1,30,000/- and in default to suffer imprisonment of two months. The order of conviction was upheld by the Sessions Court by order dated 13.08.2024 in Criminal Appeal No.203 of 2023 which is challenged in the present Criminal Revision Application No.100/2025. Since the Applicant has paid the entire compensation amount directly to the Respondent No.1 prior to filing of the appeal itself, the matter could have been compounded before the Sessions Court while filing the appeal. In the present case, the compounding application was not only served to the Bank but also on at least two occasions this Court had attempted to notify the Respondent to obtain its Say on the application for compounding the offence but the Respondent had not come forward.

3. The Applicant had also deposited an amount of Rs.19,500/- constituting 15% of the cheque amount vide receipt dated 18.08.2025, in the account of the Goa State Legal Services Authority in compliance of the Judgment of Hon'ble Supreme Court in the case of Damodar S. Prabhu v/s. Sayed Babalal H.[2010(5) SC C 663)].

4. In these circumstances, the Application for compounding is allowed and the Applicant stands acquitted of the offence under Section 138 of NI Act in relation to Criminal Case No.454/OA/NIA/2019/B.

5. Considering that the Applicant had deposited, during the pendency of the Criminal Appeal No.203 of 2023 before the Sessions Court an amount of Rs.26,000/-, on 29.08.2022 in receipt No.097302, in view of the fact that the offence now stands compounding, the Registry of the Sessions Court at Panaji is directed to transfer the said amount of Rs.26,000/- deposited before it directly to the account of the Applicant, details of which are given below:

Name : Elvis Temudo

Name of the Bank: Corporation Bank,

Branch : Curchorem Branch

Account No. : 520101032163807

IFSC : CORP0002131

6. The Registry of the Sessions Court shall comply with these directions within two weeks from receipt of the copy of this order.

7. Application stands disposed of accordingly. All pending applications therein shall also stand disposed of.

8. Parties to act on an authenticated copy of this order.

VALMIKI MENEZES, J.