

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION
CRIMINAL REVISION APPLICATION NO. 248 OF 2025**

Prakash Shankar Shelke ...Applicant
Versus
Datta Nagari Sahakari Patsanstha Ltd
Thorugh Somnath Mohan Walvekar ...Respondent

Ms. Ashwini B. Jadhav Advocate for the Applicant.
Mr. Prakash Shankar Shelke Applicant present in person.
Mr. Abhijeet V. Paramane Advocate for Respondent No. 1.
Mr. Somnath Mohan Vavlekar Respondent present in-person.
Mr. Nitin. B. Patil, APP for the Respondent-State.

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CORAM : SHIVKUMAR DIGE, J.
DATE : 21st NOVEMBER, 2025.

P.C.

1. Heard learned counsel for the applicant and learned counsel for respondent. Both the learned counsel submit that the matter is settled out of Court. They tendered consent terms. It is taken on record and marked 'X' for identification.
2. This Court enquired with the applicant and representative of respondent. Both agreed with the terms mentioned in the consent terms.
3. Learned counsel for the applicant submits that the applicant

has deposited Rs. 50,000/- before the Trial Court. Learned counsel for Respondent no. 1 submits that respondent no. 1 may be permitted to withdraw the said amount. Learned counsel for the applicant has no objection for it.

4. In view of submissions made by both learned counsel and consent terms, I pass following order:

ORDER

- I. Revision Application is allowed.
 - II. The Judgment and Order dated 15th March 2021 passed by learned Judicial Magistrate First Class, Islampur in S.C.C. No. 384 of 2016 is quashed and set aside.
 - III. The applicant is acquitted for offence punishable under Section 138 of Negotiable Instruments Act.
 - IV. Respondent no. 1 is permitted to withdraw Rs. 50,000/- deposited before the learned Sessions Court, Islampur.
5. Revision Application is disposed of.

(SHIVKUMAR DIGE, J.)