

Uday S. Jagtap

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL REVISION APPLICATION NO. 50 OF 2025
WITH
INTERIM APPLICATION NO. 551 OF 2025
IN
CRIMINAL REVISION APPLICATION NO. 50 OF 2025**

Milan Garments, Through
Partner Hasmukh Murji Shah & Anr. .. Applicants
Vs.
Mahesh N Padh & Anr. .. Respondents

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Mr. Bhavin Gada i/b S.R. Chowdhary a/w Mr. Paras Vira for the
applicant

Mr. P.H. Gaikwad, APP for the respondent – State

Mr. Rajesh Devgharkar for the respondent no.1

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CORAM : PRITHVIRAJ K. CHAVAN, J.

DATE : 21st FEBRUARY, 2025.

P.C.

1. In continuation of an order passed yesterday on 20th February 2025, learned Counsel for the applicant has tendered Pay Order Nos. 472659 for Rs.3,75,000/- and 472660 for Rs.25,000/- to the original complainant – Mahesh Padh, who is personally present along with his advocate Mr. Rajesh Devgharkar.

2. Mr. Devgharkar undertakes to file *Vakalatnama* on behalf of the complainant today itself in the Registry. Statement accepted.

3. The complainant is ready and willing to accept an amount of Rs.4 lacs towards amicable settlement of the dispute between the parties.

4. In view of an amicable settlement of the dispute between the parties, the judgment and order of conviction and sentence dated 31.01.2025 passed by the Additional Sessions Judge is quashed and set aside. The accused is acquitted of the offence under Section 138 of the Negotiable Instrument Act. He be set at liberty forthwith, if not required in any other case.

5. It is informed that an amount of Rs.25,000/- has been deposited in the Sessions Court by the accused. The Sessions Court is directed to pay 50% of the amount to the original complainant – Mahesh Padh with accrued interest, if any, and

the balance 50% shall be refunded to the respondent accused with accrued interest, if any, upon due verification.

6. The Revision Application stands disposed of in the aforesaid terms.

(PRITHVIRAJ K. CHAVAN, J.)