

AGK

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

CRIMINAL REVISION APPLICATION NO.190 OF 2019

WITH

INTERIM APPLICATION NO.2193 OF 2025

IN

CRIMINAL REVISION APPLICATION NO.190 OF 2019

Sudhir Haribhau Pagare @ Umralkar ... Applicant

V/s.

Harshada Bhavin Shah & Anr. ... Respondents

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Mr. Chetan S. Damre for the applicant.

Mr. Abhijit Joshi for respondent No.1.

Mrs. Kranti T. Hiwrale, APP for respondent No.2-State.

CORAM : AMIT BORKAR, J.

DATED : SEPTEMBER 17, 2025

P.C.:

1. For the reasons stated therein, Interim Application No.2193 of 2025 is allowed. Criminal Revision Application No.190 of 2019 is restored to file.

Criminal Revision Application No.190 of 2019:

2. The revision application is filed by the accused in a proceedings under Section 138 of the Negotiable Instruments Act, 1881. The Trial Court by judgment and order dated 8 May 2014 convicted and sentenced the applicant to suffer simple imprisonment for three months, and directed him to deposit Rs.97,500/- towards compensation of the cheque amount. The said

judgment and order has been confirmed by the Appellate Court, against which the accused has filed present revision application.

3. Learned Advocate for the original complainant submits that he has received a message on WhatsApp that the complainant has received entire amount and has entered into a Memorandum of Understanding, which is annexed to the Interim Application No.2193 of 2025 seeking restoration, wherein it is admitted by the complainant that she has received an amount of Rs.1 lakh and, therefore, they have decided to amicably resolved the dispute. The MoU dated 14 July 2023 is already part of the annexure to the Interim Application No.2193 of 2025.

4. In my opinion, therefore, the conviction and sentence imposed by the Judgment and Order dated 8 May 2014 by the Judicial Magistrate First Class – 3, Nashik in SCC No.837 of 2011, confirmed in Criminal Appeal No.99 of 2014 stands quashed and set aside.

5. The criminal revision application stands disposed of in above terms.

(AMIT BORKAR, J.)