

**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD****R/CRIMINAL REVISION APPLICATION (AGAINST CONVICTION -  
NEGOTIABLE INSTRUMENT ACT) NO. 2595 of 2025**

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SHAILESHBHAI BHAILALBHAI PATEL  
Versus  
STATE OF GUJARAT & ANR.

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**Appearance:**

MR SHAILESH C SHARMA(3450) for the Applicant(s) No. 1  
DS AFF.NOT FILED (R) for the Respondent(s) No. 2  
ROHAN SHAH APP for the Respondent(s) No. 1

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**CORAM:HONOURABLE MR.JUSTICE P. M. RAVAL**

**Date : 29/01/2026**

**ORAL ORDER**

1. *Rule.* Learned Additional Public Prosecutor waive service of Rule on behalf of the Respondent State.

2. By this revision application under Section 438 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short “BNSS”) read with section 442 of BNSS, the applicant has prayed for quashing and setting aside the judgment and order dated 14.08.2024 passed by the learned Ld. Additional Chief Judicial Magistrate, Vaso in Criminal Case No. 186 of 2022, whereby the trial Court held the applicant guilty for the offence under Section 138 of the Negotiable Instruments Act, 1881 (for short “NI Act”) and sentenced to undergo Simple Imprisonment (SI) of one year and also directed to pay Rs. 5,00,000/- to the original complainant. The said order was assailed before the learned Sessions Judge, Nadiad by way of Criminal Appeal No. 479/2024, which came to be dismissed

*vide* judgment and order dated 17.12.2025 and the order of conviction has been confirmed and upheld. Aggrieved thereby, this revision application is filed.

3. Learned advocate for the applicant has taken this Court through the factual matrix arising out of the present application. However, it is submitted that the parties have amicably resolved the issue. It is further submitted that in view of the fact that the dispute is resolved, present application deserves consideration.

4. Learned advocate for original complainant has reiterated the contentions raised by the learned advocate for the applicant. Original complainant – Mahavirsinh Narendrasinh Mahida appeared before the Court and is identified by the learned advocate for the original complainant. The complainant affirms the *factum* of settlement. He has also filed an affidavit, which is taken on record, stating therein that he has no objection if the judgment and orders impugned in this revision application are quashed and set aside. He also states that he has filed the affidavit without any coercion, threat or undue influence, on his own volition and therefore, now the grievance stands redressed. It is, therefore, submitted that the present application may be allowed.

5. Learned Additional Public Prosecutor appearing for the State has submitted that in the facts and circumstances of the case and in view of the extant law, Court may pass

appropriate orders.

6. Considering the fact that the dispute is settled between the parties and the said fact has been confirmed by the complainant, as the offence is compoundable one at any stage under Section 147 of the NI Act.

7. Resultantly, this revision application is allowed. The judgment and orders impugned in this revision application, referred to herein above, are hereby quashed and set aside. The applicant is acquitted of the present charge.

7.1 The applicant to deposit Rs. 5,000/- towards compounding charge before the District State Legal Services Authority,

8. Rule is made absolute to the aforesaid extent. Direct service is permitted.

MMP

**(P. M. RAVAL, J)**

Original copy of this order has been signed by the Hon'ble Judge.  
Digitally signed by: MAHENDRA MOHANBHAI PUROHIT(HCD0074), ENGLISH STENOGRAPHER GRADE TWO CLASS TWO, at High Court of Gujarat on 29/01/2026  
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