2026:BHC-AUG:54531

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD.

26 CRIMINAL REVISION APPLICATION NO. 359 OF 2026

Simranpalsingh Jasbirsing Saluja
VERSUS
Manidersingh Balbirsing Saluja
.....
Shri. Chandrakant V. Thombre, Advocate for Applicant
Shri. P. C. Bhagure, Advocate for Respondent No.1
.....

CORAM : HITEN S. VENEGAVKAR, J.
DATED : 02.11.2026

PER COURT :-

. Heard the learned Advocate for the Applicant and the learned Advocate for the sole Respondent - the Original Complainant.

2. By way of the present Criminal Revision Application, the Applicant challenges the Judgment and order dated 09.05.2023, passed by the learned Judicial Magistrate First Class (Court No. 12), Aurangabad, in S.C.C. No. 9557 of 2018, thereby convicting the Applicant for the offence punishable under Section 138 of the Negotiable Instruments Act, 1881 (for short, “the N.I. Act”), as well as the judgment and order dated 21.10.2026, passed by the learned Additional Sessions Judge, Aurangabad, in Criminal Appeal No. 104 of 2023, thereby dismissing the appeal and upholding the conviction recorded by the Trial Court.

3. Learned advocate for the Applicant submits that, during the pendency of the present Criminal Revision Application, the parties have amicably decided to settle the matter and resolve the dispute once and for all. He submits that, terms of the settlement between the parties have been drawn and in the said settlement, it is mentioned that the Respondent, who is the original Complainant, does not want to pursue the present proceedings further for the reason that the Complainant has received the total amount due and payable under the orders of the Trial Court, which amounts to Rs.3,60,000/-. In addition to the amount paid by way of Demand Draft dated 22-10-2026, the original deposit of 20% amount is also being withdrawn by the present Complainant i.e. Respondent. Thus, it is submitted that, the dispute between the parties is amicably settled and the present proceedings can be disposed of in accordance with the terms of settlement.

4. I have perused the terms of consent and also taken note of the Demand Draft annexed to the Terms of Settlement at Page No. 7, which is marked as Exhibit R-1. The said Demand Draft indicates that the amount has been deposited with the Registrar, High Court Bench at Aurangabad.

5. A perusal of the judgment and order passed by the learned Trial Court reveals that the present Revision Applicant was directed to pay

compensation of Rs. 3,60,000/- to the Complainant. The said judgment and order came to be confirmed by the learned Appellate Court. The material placed on record, including the Demand Draft annexed to the Terms of Settlement at Page No. 7 and marked as Exhibit R-1, establishes that the amount payable pursuant to the said orders has been paid. Both the parties have acknowledged the receipt/payment of the said amount and have jointly submitted that the liability arising out of the impugned judgments and orders stands fully and finally satisfied.

6. Taking into consideration the fact that the parties have amicably settled the dispute and that the Applicant has paid the entire amount due and payable in terms of the orders passed by the Trial Court as well as the Appellate Court, I am of the view that no further adjudication of the dispute is required in the present Criminal Revision Application. In view of the settlement arrived at between the parties, and having regard to the provisions of Section 147 of the N.I. Act, I am inclined to permit compounding of the offence. However, it is pertinent to note that the parties have arrived at a settlement at the fag end of the proceedings, when the matter has reached this Court, after having availed themselves of the entire judicial machinery before the Trial Court as well as the Appellate Court. The parties have, thus, utilised considerable judicial time and resources at various stages of the proceedings. In these circumstances, while permitting compounding of the offence, I deem it

appropriate to impose costs upon the Applicant and the Respondent. In view of the above, I pass the following order:

ORDER

(i) The Criminal Revision Application is allowed.

(ii) The offence punishable under Section 138 of the N.I. Act, is permitted to be compounded under Section 147 of the N. I. Act.

(iii) The Judgment and order passed by Judicial Magistrate First Class (Court No. 12), Aurangabad, in S.C.C. No. 9557 of 2018, dated 09.05.2023 as well as the Judgment and order passed by the learned Additional Sessions Judge, Aurangabad, in Criminal Appeal No. 104 of 2023 dated 21.10.2026 are hereby quashed and set aside.

(iv) The Applicant stands acquitted of the offence punishable under Section 138 of the N.I. Act.

(v) The Applicant and the Respondent shall deposit an amount of Rs.10,000/- (Rupees Ten Thousand only) each towards costs, with the Chief Minister's Relief Fund, the bank account details of which are as follows:

Saving Account No.10972433751
Bank : State Bank of India
Branch : Mumbai Main Branch, Fort, Mumbai – 400001
Branch Code : 00300
IFSC Code : SBIN0000300

Both the parties shall deposit the costs within a period of two (2) weeks from today.

(vi) Both the parties shall place the respective payment receipts on record and produce the same before the Sheristedar of this Court for verification and acknowledgment. The present order shall take effect only upon verification and acknowledgment of the said payment receipts by the Sheristedar.

(vii) Subject to compliance with the aforesaid directions, the present Criminal Revision Application stands disposed of.

(HITEN S. VENEGAVKAR)
JUDGE

GGP