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IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL REVISION APPLICATION NO.59 OF 2016

VIRENDRA DIVKAR., ... APPLICANT
Versus
SUNIL THUKRAL AND ANR., ... RESPONDENTS

Mr. Manoj Jalmi, Advocate for the Applicant.

Mr. Ryan Menezes and Ms Meliva Silva Advocates for the Respondent No.1.

CORAM:- AMIT S. JAMSANDEKAR, J.

DATED :- 23rd October, 2026

P.C.

1. Heard the learned counsel for the Applicant. It is submitted that the parties have amicably resolved the dispute and that the Applicant has agreed to pay a sum of Rs.4,00,000/- (Rupees Four Lakhs only) to Respondent No. 1 towards full and final settlement of the dispute. This sum of Rs.4,00,000/- shall also include the amount deposited by the Applicant in the Court and the interest accrued thereon.

2. The Applicant has so far deposited Rs.25,000/- before the learned JMFC, Panaji, Rs.25,000/- before the learned Additional Sessions Judge, and Rs.90,000/- in the Registry of this Court. This amount was invested and as on 2.2.2026 the amount deposited with accrued

interest is Rs.1,58,271/-. In addition, the Applicant is depositing a further sum of Rs.25,000/- in the Registry of this Court. The Registry is directed to accept the demand draft for the aforesaid amount.

3. After accounting for the aforesaid deposits, the remaining amount payable to Respondent No.1 towards full and final settlement is Rs.1,66,729/-, which the Applicant has agreed to pay within a period of two weeks from today.

4. The Applicant is personally present before this Court and undertakes to abide by the terms of the settlement and to pay the aforesaid balance amount of Rs.1,66,729/-, the interest accrued on the deposits made by the Applicant) to Respondent No. 1 within a period of two weeks from today. The undertaking of the Applicant is accepted as an undertaking to this Court.

5. In view of the undertaking given by the Applicant, Respondent No. 1 has no objection to the compounding of the offence punishable under Section 138 of the Negotiable Instruments Act, 1881, committed by the Applicant.

6. In view thereof, the judgment and order dated 14.5.2015 passed by the Judicial Magistrate, First Class, Panaji in Criminal Case No.OA/296/2013/D and the judgment and order dated 7.10.2016 passed by the Additional Sessions Judge, Panaji in Criminal Appeal No. 94/2015 are quashed and set aside. So also Consequently, the offence committed by the Applicant under Section 138 of the

Negotiable Instruments Act stands compounded.

7. It is, however, made clear that in the event the Applicant fails to pay the balance amount of Rs.1,66,729/- to Respondent No. 1 within a period of two weeks from today, the present Criminal Revision Application shall stand dismissed. Consequently, the Police Inspector, Panaji Police Station, shall arrest the Applicant and produce him before the learned JMFC, Panaji.

8. The Applicant has already paid an amount of Rs.7875/- towards costs to the Goa State Legal Services Authority as per the order dated 9.7.2026.

9. The Registry of this Court is directed to forthwith remit the amount deposited by the Applicant to Respondent No.1, along with further accrued interest from 3.2.2026, as per the bank details furnished by Respondent No.1, which are taken on record. So also, the Superintendent of the JMFC, Panaji and the Additional Sessions Judge, Panaji shall forthwith remit the amount deposited by the Applicant to the Respondent No.1 as per the bank details furnished by Respondent No.1.

10. Criminal Revision Application stands disposed of. Pending Applications, if any, stand disposed of.

11. Stand over to 19.11.2026 for compliance.

12. This order will be digitally signed by the Private Secretary/Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally copy of this order.

AMIT S. JAMSANDEKAR, J.

Signed by: VINITA VIKAS NAIK
Designation: Private Secretary
Date: 26/10/2026 13:50:28