IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION

CR. REVISION APPLN. NO. 9 OF 2026

Subhash Baburao Jakhale ... Applicant
V/s.
Shankar Parshuram Choudhari ... Respondent

WITH
CRI-INTERIM APPLICATION NO. 114 OF 2026
IN
CR. REVISION APPLN. NO. 9 OF 2026

Shubhash Baburao Jakhale ... Applicant
V/s.
Shankar Parshuram Choudhari ... Respondent

Mr. Kunal V. Patil a/w. Mr. Rajnandini Katkar, Advocate for the Applicant.

Mr. Ajit M. Savagave a/w. Mahamaheshwari R. Kolap, Advocate for Respondent No.1

Dr. Ashwini A. Takalkar, APP for the Respondent No.2-State.

CORAM : NEERAJ P. DHOTE, J.

DATED : NOVEMBER 26th, 2026

P.C.:

1. This is a Criminal Revision Application challenging the Judgment and Order dated 19th November, 2025 passed by the learned Additional Sessions Judge, Kolhapur, in Criminal Appeal No.61 of 2023, confirming the conviction of the Applicant for the offence punishable under Section

adn

138 of the Negotiable Instruments Act, 1881 (NI Act). The Applicant was tried and convicted by the learned Judicial Magistrate First Class, Court No.10, Kolhapur, in SCC No.778 of 2021, by Judgment and Order dated 20th June, 2023, whereby he was sentenced to undergo simple imprisonment for 15 days and was directed to pay compensation of Rs.9,00,000/- to the complainant.

2. The learned counsel for the Applicant and the learned counsel for Respondent No.1, who is the original complainant, submit that, the parties have arrived at an amicable settlement. The Applicant has paid the entire amount to Respondent No.1 - complainant. Respondent No.1 - complainant has placed on record an affidavit stating that, the Revision Application be allowed, as the matter has been amicably settled between the parties.

3. Since the affidavit filed by Respondent No.1 - complainant was notarized, this Court directed the Registrar of this Court to verify the same. There is a report under the signature of the Officer on Special Duty dated 26th November, 2026, stating that, the contents of the affidavit were verified by him. The said affidavit is taken on record and marked as Exhibit '1' for identification.

4. Respondent No.1 - complainant is personally present before this Court. He confirms that, the matter has been amicably settled and that, he has received the entire amount from the Applicant. He further states

that, he has no objection to quash and set aside the order of conviction and sentence. Needless to state that, the offence for which the Applicant has been convicted is compoundable.

5. In this view of the matter, I proceed to pass the following order:

ORDER

(i) The Revision Application is allowed in terms of prayer clause (b), which reads as under:

> *"(b) After perusal of the record and proceeding and examining its legality, validity and propriety this Hon'ble Court be pleased to quash and set aside the impugned Judgment and Order dated 19.11.2025 passed by the Ld. Addl. Sessions Judge, Kolhapur in Criminal Appeal No. 64 of 2023 arising out of impugned Judgment and Order dated 20.06.2023 passed by the Ld. J. M. F. C., Kolhapur in S.C.C. No. 778 of 2021, and the Applicant/ accused be acquitted for the offence punishable u/sec. 138 of Negotiable Instruments Act;"*

(ii) The Applicant is acquitted of the offence punishable under Section 138 of the NI Act in SCC No.778 of 2021.

(iii) Since the Applicant is behind bars pursuant to the impugned order of conviction, he be released forthwith.

6. The Revision Application stands disposed of.

7. In view of the disposal of the Revision Application, the Interim Application, if any, also stands disposed of.

(NEERAJ P. DHOTE, J.)

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