IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

REVISION APPLICATION NO. 228 OF 2005

S. Jaychabdran Salai Nadar ...Applicant

Versus

1. State Of Maharashtra
2. Sethuraman Muthalaga ...Respondents

****

Ms. Aneeta M. Vasani for the Applicant.

S. Jaychabdran Salai Nadar Applicant present in Court.

Ms. M.R. Tidke, AGP for the Respondent /State.

Mr. P.B. Patil for the Respondent No.2.

Mr. M. Sethuraman Respondent No.2 is present in Court.

****

CORAM : M.M. SATHAYE, J.
DATE : 07th OCTOBER, 2026

P.C. :

1. The Applicant is the original accused and Respondent No. 2 is complainant in proceedings arising out of section 138 of Negotiable Instrument Act, 1881. Revision is filed challenging conviction.

2. Learned counsel for the Revision Applicant and learned Counsel for the Respondent No.2 have jointly tendered Consent Terms dated 31.03.2026 along with affidavit of the Respondent No. 2-Complainant. It is jointly submitted that since amount of Rs. 11,00,000/- is received, parties have amicably settled the matter.

3. Consent Terms with supporting Affidavit and self attested identity proof (page nos.1 to 8) are taken on record and marked as 'X' for identification.

4. The Applicant as well as the Respondent No.2 are present in the Court who are identified by their respective Advocates. Respondent No.2 - the original Complainant, on a query by the Court, stated that he has signed the Consent Terms after understanding contents therein and implications thereof. He has confirmed that he has received the amount of Rs.11,00,000/- deposited by the Applicant in this Court. He has also confirmed that all claims against the Applicant is fully satisfied and he has no objection to quash and set aside the impugned order.

5. Considering the Consent Terms filed by the parties and and supporting affidavit of the Respondent No.2 - Complainant, Revision Application is allowed. Impugned order dated 22.12.2004 passed by the Metropolitan Magistrate, 30th Court, Kurla, Mumbai in CC No.465/SS/2004 and order dated 02.07.2005 passed by the Additional Sessions Judge, Greater Mumbai in Appeal No.13 of 2005 are set aside. Applicant's conviction under said orders is set aside and he is acquitted of the offence involved. Applicant's bail bond / surety, if any, stands discharged.

6. Since, the parties have decided to settle the dispute amicably, penalty is not imposed.

7. Criminal Revision Application is disposed of in the above terms. No order as to costs.

(M.M. SATHAYE, J.)