

Order below Ex. 1

1... Heard and perused the pursis of compounding as well as case record. Compounding - pursis has been tendered vide exhibit **no. 17** and on ascertaining by this court, the details shown and signature put in the compounding - pursis have been admitted and thereby confirmed that the present matter has been amicably settled between the parties.

2... Moreover, by various judgments, it has been clearly established that the offence under sec. 138 of N.I.Act, can be compounded under sec. 147 of N.I.Act, even at the stage of appeal and that too without permission of the court and so sec. 147 empowers the court to accept the settlement arrived at between the parties and quash the conviction and such powers have been conferred to subserve the ends of justice, however, it has to be exercised with circumspection. Hence, in the light of this compounding pursis, the present criminal appeal is, hereby, disposed of as compounded.

3... The impugned judgment dated 29/07/2025 passed by the Ld. JMFC, Bagasara, at exhibit no.39, in Cri. Case No. 179/2024 whereby the appellant (accused) was sentenced to Simple imprisonment for 6 months and fine **NIL** and /or and imprisonment in default of fine, coupled with the compensation, if any, is hereby **set aside** and the appellant accused namely **Dhirubhai Nagjibhai Savaliya**, is hereby **acquitted** accordingly.

4... The bail bonds stand(s) cancelled and sureties are discharged.

5... The amount, if any, deposited towards Fine, Compensation or Deposit, be returned to the accused on expiration of appeal period.

6... Due to peculiar circumstances of the parties, which this court came to know during the settlement process held, the cost, if imposed, may dismantle the compromise arrived at and hence the same is, hereby, waived.

7... Interim relief granted, if any, stands vacated.

8... No order as to cost.

A copy of this order & R & P, if any, be returned to ld. Trial court.

Read & Pronounced in Lok Adalat.

Date : 14/03/2026.
Dhari.

M. N. Shaikh (GJ00611),
3rd Addl. Sessions Judge, Dhari. Amreli.