

Criminal Appeal No.8/2026**Order below Ex. 1**

- 1) Present appeal emanates from the judgment dated 04/07/2025 passed by learned Additional Chief Judicial Magistrate, Bardoli in Criminal Case No.1604/2024, whereby the appellant/original accused has been convicted for the offence punishable under Section 138 of the Negotiable Instrument Act.
- 2) The parties have submitted compromise pursis at Exh.05. It is placed on record that, matter has been amicably settled between the parties and cheque amount has been received by the complainant. It transpires that complainant has no objection if impugned order of sentence and compensation have been set aside.
- 3) It is not in dispute that the cheque amount was given by present appellant/accused to the original complainant/respondent and same was dishonoured. It is not in dispute that matter has been compromised between the parties in view of the compromise. Considering the fact that parties are arrived at settlement and complainant/respondent have no objection if the present appeal is allowed by setting aside the impugned order. Therefore, I pass following order.

ORDER

1. The present Criminal Appeal is hereby allowed and the appellant/accused shall be released.
2. The order of conviction, sentence and compensation dated 04/07/2025 passed by learned Additional Chief Judicial Magistrate, Bardoli in Criminal Case No.1604/2024 is

hereby set aside.

3. If 20% of the cheque amount is deposited before the concerned court, shall be returned to one of the party as per their mutual consent after due verification.
4. Record & Proceedings (if any) be sent back to the Ld. Trial Court alongwith a copy of this order.

Pronounced in the National Lok Adalat today on 14th day of March, 2026, Surat at Bardoli.

Date : 14/03/2026
Place: Bardoli

Nareshkumar R. Jain
5th Addl. Sessions Judge,
Surat at Bardoli.
Unique ID Code: GJ00582