

**CRIMINAL APPEAL NO. 60 OF 2025****ORDER BELOW EXHIBIT - 01**

(1) The Ld. advocate for appellant/original accused has filed compromise pursis at **Ex-17** and submitted that the parties have amitably settled the dispute. The complainant also stated by way of filing a pursis vide **Ex-18** that he has received the amount now nothing is due to be paid by the appellant/accused and he has no objection if the order of conviction and sentence is set aside and appellant/accused is acquitted.

(2) In the case of **Damodar Prabhu Vs. Syed Babulal reported in 2010(3) SCC 663**, the Hon'ble Supreme Court has held that compounding of the offence is to be allowed on the condition that the accused pays 15% of the cheque amount by way of costs.

(3) The present appellant/accused has also filed a pursis vide **Ex-19** and submitted that considering the compromise between the parties, the compounding charges may be waived off. In the case of **Madhya Pradesh State Legal Services Authority Vs. Prateek Jain & Another reported in 2014 (4) RCR (Criminal) 178 (SC)**, the Hon'ble Supreme Court has held that when the matter is settled in Lok Adalat, the Court can reduce or waive amount of costs of compounding. This Court has considered the fact that the parties have settled and compounded the offence in the Special Lok Adalat (Negotiable Instruments Act). Further, weak financial condition of the appellant/accused is also required to be considered and therefore, in the peculiar facts and circumstances of the case, the amount of compounding costs/fine

is waived off in the interest of justice. Hence, in view of the above, following order is passed :-

**::: O R D E R :::**

(1) The present Criminal Appeal No. 60 of 2025 is hereby disposed of.

(2) The judgment and order dated 29.04.2025 passed by the Ld. Addl. Chief Judicial Magistrate, Valsad in Criminal Case No.4483/2024 is hereby **quashed and set aside.**

(3) Original R & P, if any, be sent to the Ld. Trial Court along with the copy of this order.

**Signed & pronounced in the Special (N.I. Act) Lok Adalat held on this 18<sup>th</sup> day of July, 2026.**

**Date : 18.07.2026**

**Place : Valsad**

**[ Nipa Chandrakant Raval ]  
Sessions Judge,  
Valsad  
(Code No. GJ00370)**