

MHRT010003912024



IN THE COURT OF SESSIONS JUDGE, RATNAGIRI
(Presided over by V. Y. Jadhav, Sessions Judge, Ratnagiri.)

Criminal Appeal 24/2024.

Shri. Dinesh Dattaram Thul

Appellant

Versus

**Kusumtai Cooperative Patsanstha
Ltd. Ratnagiri, Pawas Branch**

Respondent

Common Order Below Exh. 01, 22 and 23.
(Dictated and delivered in open Court on 13.08.2026)

1. The appellant/accused filed present appeal challenging the order of conviction dated 08.04.2024 passed by learned Judicial Magistrate First Class, Ratnagiri in S.C.C.No.1580/2022 whereby the appellant/accused has been convicted for the charges of commission of offence punishable under Section-138 of Negotiable Instruments Act and sentenced to suffer simple Imprisonment for 2 (Two) months. He is further ordered to pay compensation of Rs. 1,50,000/- (Rs. One Lakh Fifty Thousand only), in default, he shall suffer S.I. for 2 (Two) months.

2. Representative and authorized person of respondent along with his Ld. advocate Shri. A. Kalambate present. Appellant and his Ld. Advocate Shri. S. R. Parkar are present. Representative and authorized person of the respondent so

also his advocate admitted the contents of applications Exh. 22 and 23 and their signature on it. As per contents of said applications, the accused has paid compensation amount of Rs. 1,50,000/- (Rupees One Lakh Fifty Thousand Only) to the respondent and therefore, the respondent does not wish to proceed with the matter any further as wish to compound the same.

3. The offence is compoundable one. There is no illegality in the said contents of the settlement terms. Hence, the same can be accepted.

4. Now in view of decision in the case of *Sanjabij Tari Vs. Kishore S. Borcar & Anr. in Criminal Appeal No. 1755 of 2010 decided by Hon'ble Supreme Court dated 25.09.2025* the appellant is also required to deposit an amount of Rs. 11,250/- (Rupees Eleven Thousand Two Hundred Fifty Only) (i.e. 7.5% of compensation amount of Rs. 11,250/-) in the office of D.L.S.A. Ratnagiri. The amount be deposited within the period of 15 days from today. In the light of above observations the matter can be disposed off finally in following terms. Hence, I pass following order.

ORDER

1. The appeal is hereby disposed off as settled between the parties. The offence under Section 138 of the Negotiable Instruments Act is hereby compounded as per said settlement by allowing the appeal.

2. The judgment and order dated 08.04.2024 passed in Summary Criminal Case No. 1580/2022 is hereby set aside and accused is acquitted from the charges levelled against him under section 138 of the Negotiable Instrument Act.

3. The appellant/accused is directed to pay costs of Rs. 11,250/- (Rupees Eleven Thousand Two Hundred Fifty Only) in the office of D.L.S.A. Ratnagiri within 15 days from today.

4. His bail bond stands cancelled.

5. The proceeding is closed.

6. Dictated and pronounced in the open Court.

Date : 13.08.2026

(V. Y. Jadhav)
Sessions Judge, Ratnagiri.

I affirm that the contents of this P.D.F. file order are same, word to word, as per the original order.

Case Number		Criminal Appeal 24/2024
Name of Stenographer	:-	Sou. P.S.Lad
Name of Court	:-	Sessions Judge, Ratnagiri.
Date of Decision	:-	13.08.2026
Order signed by the P.O. on	:-	13.08.2026
Order uploaded on	:-	13.08.2026