



Suchitra

IN THE HIGH COURT OF BOMBAY AT GOA
CRIMINAL MISC. APPLICATION NO.330/2026 (F)
IN
CRIMINAL REVISION APPLICATION NO.1140/2025 (F)

ARUN SOMNATH VIRNODKAR

... APPLICANT

Versus

THE BHAGAWATI URBAN
COOP CREDIT SOCIETY

... RESPONDENTS

Mr Sahil Sardesai, Advocate for the Applicant.

Mr Laxman Pednekar, Advocate for the Respondent-Society.

Mr S. Karpe, APP for the State.

CORAM: ASHISH S. CHAVAN, J.

DATE : 17th APRIL 2026

P.C.:

1. This is an application for compounding under Section 137 of the Negotiable Instruments Act to compound the offence punishable under Section 138 of the Negotiable Instruments Act for which the Applicant is held guilty and convicted by the learned JMFC, Pernem by Judgment and Order dated 18.11.2024 and sentenced to undergo simple imprisonment for a period of three months and compensation amount of Rs.90,000/- to be paid to the Respondent - Society, in default of which, to undergo sentence of simple imprisonment for a period of three months.

2. Aggrieved by the Judgment and Order, the Applicant approached the learned Sessions Judge, Panaji by way of Criminal

Appeal No.8/2025. The learned Sessions Judge, Panaji vide Order dated 07.11.2025, confirmed the conviction and maintained the sentence against the Applicant.

3. The present Revision Application No.1140/2025 (F) challenges the aforesaid concurrent findings of the Courts below.

4. During the pendency of the present Application, the entire compensation amount is deposited by the Applicant before this Court. Also, the compounding costs of Rs.6,750/- (7.5% of the cheque amount) as envisaged by the Judgment of the Hon'ble Supreme Court in the matter of *Sanjabij Tari v/s. Kishore S. Borcar & Anr. - 2025 SCC OnLine SC 2069*, has been deposited by the Applicant with the GSLSA. Receipt thereof is annexed to the application for compounding.

5. Heard Mr Sardessai for the Applicant and Mr Pednekar for the Respondent - Society. The Advocate for the Respondent - Society, on instructions, records his no objection for compounding the offence against the Applicant. He prays that the amount of Rs.90,000/- deposited by the Applicant in this Court be disbursed back to him. The Advocate for the Applicant has no objection for the same.

6. In view thereof, the Registry is directed to disburse within a week from this order, the amount of Rs.90,000/- in the account of the Respondent – Society, the details of which are as under:

Bank of Baroda, Morjim Branch, Morjim

RTGS/NEFT IFSC Code – BARB0MORGIM

Account No. - 0492020000011

7. In the light of the aforesaid facts and circumstances and taking into consideration that the entire compensation amount along with the compounding costs has been deposited by the Applicant and that the Respondent Society has no objection to compound the offence, the offence punishable under Section 138 of the Negotiable Instruments Act is compounded *qua* the Applicant.

8. The Applicant is acquitted. The order of the learned JMFC, Pernem dated 18.11.2024 and the order of the learned Sessions Judge at Panaji dated 07.11.2025 are quashed and set aside. Bail bonds if any, entered into by the Applicant, shall stand cancelled and surety if any, executed by the Applicant, shall be discharged. Cash bail if any, to be refunded back to the Applicant.

9. Resultantly, the Criminal Misc. Application No.330/2026 (F) is allowed and stands disposed of. Consequently, the Criminal Revision Application No.1140/2025 (F) also stands disposed of in the aforesaid terms. Registry to issue appropriate Writs to the learned JMFC, Pernem and learned Sessions Judge Panaji. The office objections if any, be waived and the matters be registered.

ASHISH S. CHAVAN, J.