

*Esha***IN THE HIGH COURT OF BOMBAY AT GOA****CRIMINAL REVISION APPLICATION NO. 21 OF 2024****GIRIMALLAPPA K. JOGUR****... APPLICANT****~ VERSUS ~****STATE OF GOA & ANOTHER****... RESPONDENTS****APPEARANCES:**

for the Applicant

Mr. Kishan Kavlekar

for Respondent No. 1

*Additional Public Prosecutor, Mr.
Gaurish Nagvenker*

for Respondent No. 2

*Senior Advocate Mr. A.F. Diniz with Mr.
Ryan Menezes***CORAM : AMIT S. JAMSANDEKAR, J.****DATED : 14th JULY 2026****P.C:**

1. Heard the learned Counsel for the Applicant and the learned Senior Counsel appearing on behalf of the second Respondent.

2. By the present Petition, the Applicant has challenged the order dated 17.11.2021 passed by the learned Sessions Judge, South Goa, Margao, Goa in Criminal Appeal No. 126/2018, by which, the learned Sessions Judge was pleased to dismiss the Appeal filed by the Applicant against the judgment and order dated 29.10.2018 passed by the learned JMFC, Vasco in Criminal Case No. 80/OA/Ni/2013/F thereby convicting the Applicant for the offence punishable under Section 138 of the Negotiable Instruments Act, 1881.
3. After hearing the matter for some time, the parties decided to amicably settle the dispute between them. Accordingly, the parties have tendered the minutes of the order, which are signed by the respective Advocates on record on behalf of the Applicant and the second Respondent.
4. The Applicant and the Power of Attorney holder of the second Respondent are personally present in Court. They confirm that they have read and understood the minutes of the order. The statements made by the parties in the minutes of the order are accepted as undertakings given to this Court.

5. The minutes of the order signed by the parties and their respective Advocates are taken on record and marked 'X' for the purpose of identification and shall be part of the order as follows:

IN THE HIGH COURT OF BOMBAY AT GOA

Criminal Revision Application No. 21 of 2024

In the matter of:

Girimallappa A. Jogur ... Applicant

Versus

State of Goa and Another Respondents

MINUTES OF THE ORDER

MAY IT PLEASE THE HON. COURT.

The Applicant and Respondent No. 2, in the have agreed to settle the controversy in the aforementioned matter as under:

1. The Applicant shall to pay Respondent No. 2 an amount of Rs. 55,00,000/-, in addition to and/or over and/or above, the amount of Rs. 25,00,000/-, already paid to him.

2. The Applicant undertakes to this Hon. Court to deposit the total amount of Rs. 55,00,000/-, in the Registry of this Hon. Court within a period of three months from today. Upon the deposit of the Rs. 55,00,000/- Respondent No. 2 shall be entitled to withdraw the whole amount, for which the Applicant unconditionally gives his no-objection.

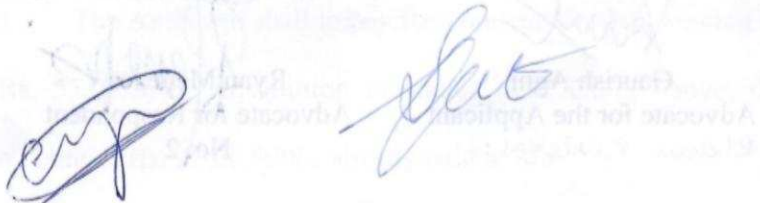
3. If the Applicant deposits the amount of Rs. 55,00,000/- on or before the expiry of the period of three months from today, i.e., on or before **14/10/2026**, the Judgment & Order dated 29/10/2018 of the Hon. Judicial Magistrate, First Class, Vasco da Gama, in Criminal Case No. 80/OA/Ni/2013/F, by which he was convicted for an offence under Section 138 of the Negotiable Instruments Act, and Judgment & Order dated 17/11/2021 of the Hon. Hon. Sessions Court, South Goa, in Criminal Appeal No. 126/2018, by which it was confirmed, shall stand quashed as set aside as if the Criminal Revision Application were allowed.

4. If the Applicant fails to deposit the amount of Rs. 55,00,000/- on or before the expiry of the period of three months from today, i.e., on or before **14/10/2026**, then the Criminal



Revision Application shall be deemed to have been disposed, and Judgment & Order dated 29/10/2018 of the Hon. Judicial Magistrate, First Class, Vasco da Gama, in Criminal Case No. 80/OA/NI/2013/F, by which he was convicted for an offence under Section 138 of the Negotiable Instruments Act, and Judgment & Order dated 17/11/2021 of the Hon. Sessions Court, South Goa, in Criminal Appeal No. 126/2018, by which it was confirmed, shall stand confirmed and the sentence shall be executed against the Applicant.

5. Payment of the amount of Rs. 25,00,000/- and Rs. 55,00,000/- i.e., total of Rs. 80,00,000/-, shall constitute full and final settlement of the dispute between the Applicant and Respondent No. 2. Consequently, the Applicant shall withdraw Special Execution Application No. 2/2024, pending before Hon. Civil Court, at Sindghi taluka, Bijapur district, Karnataka, within 30 days of the receipt of the entire additional amount of Rs. 55,00,000/- by Respondent No. 2.



6. As the controversy is entirely between the Applicant and Respondent No. 2, the participation is of Respondent No. 1, the State of Goa, which is a pro forma party is not necessary.

7. The parties hereto have signed and executed these minutes of the order, of their own free will, and free from any force, coercion and/or other undue influence of any sort.

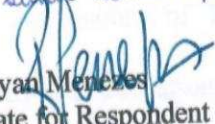
The Applicant and Respondent No. 2 pray that this Hon. Court may be pleased to dispose the aforementioned matter in the terms of the minutes of the order herein above.

Filed in court on this Fourteenth day, of the month of July, of the year Two Thousand and Twenty Six.


Girimallappa Jogur
Applicant


Gaurish Agni
Advocate for the Applicant
Kishan Kawlekar.


Akbar Thobani
Respondent No. 2
Through POA
Mr. Sunil Nancharpatravali


Ryan Meneses
Advocate for Respondent
No. 2

6. The Applicant and the second Respondent shall pay an amount of Rs.15,000/- each to the Police Welfare Fund, within a period of one week from today.
7. The Criminal Revision Application stands disposed of in terms of the consent terms.
8. **List on the cause list for compliance on 21st July 2026.**
9. This order will be digitally signed by the Private Secretary/Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

[AMIT S. JAMSANDEKAR, J.]