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IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL WRIT PETITION NO. 386 OF 2026

SUDHA DATTARAM SHIRODKAR ... PETITIONER

Versus.

THE BICHOLIM MERCHANT URBAN
COOPERATIVE CREDIT SOCIETY LTD.
AND ANR.

...RESPONDENTS

Mr. Pranav Vaze, Advocate for the Petitioner.

Ms. Akshaya Nanodkar, Advocate for the Respondent No. 1.

Mr. Preetam Talaulikar, Additional Public Prosecutor for the
Respondent No. 2.

CORAM: ASHWIN D. BHOBE, J.

DATED : 28th October, 2026

Oral Order:-

1. Heard, Mr Pranav Vaze, learned Advocate for the Petitioner,
Ms Akshaya Nanodkar, Advocate for the Respondent No. 1
and Mr Preetam Talaulikar, Additional Public Prosecutor for
the Respondent No. 2.

2. By this petition, the Petitioner has sought the following reliefs:

*“a) That this Hon'ble Court be pleased to issue a writ
of Certiorari or a writ in the nature of certiorari of any
other writ, order or direction and be pleased to quash
and set aside the Impugned Order dated 01.12.2025*

passed in Criminal Miscellaneous Application 284/2024 (Sudha Shirodkar vs The Bicholim Merchant Co-operative Credit Society Ltd) before the Additional Session's Court- I at Mercas Tiswadi Goa and condone the delay:

b) Consequently, this Hon'ble Court be pleased to register appeal accompanying the said application for condonation of delay:

c) Pending the hearing and until final disposal of the present Writ Petition, this Hon'ble Court be pleased to stay the operation and execution sentence passed in Order dated 05.03.2024 in CC/OA/736/2022 passed by the learned Judicial Magistrate First Class at Bicholim Goa:"

3. A brief overview of this Petition is that the Petitioner (Accused) in Criminal Case No. OA/736/2022 was convicted by the JMFC at Bicholim ("Trial Court") vide Judgment and Order dated 05.03.2024.
4. The Additional Sessions Judge, Mercas ("Appellate Court"), vide order dated 01.12.2025, rejected the application seeking condonation of delay in filing the appeal against the conviction, on the ground that the delay in filing the Criminal Appeal was not condoned.

5. Aggrieved, the Petitioner has filed this petition before this Court.
6. This Petition was listed on 27.10.2026, when Mr. P. Vaze, learned Advocate for the Petitioner, stated that the Petitioner had paid the entire cheque amount and intended to file an application seeking compounding of the offence under Section 147 of the Negotiable Instruments Act, 1881.
7. Ms. Akshaya Nanodkar, learned Advocate for Respondent No.1, confirmed the statement made by Mr. Vaze, learned Advocate for the Petitioner, and submitted that the Respondent No. 1, having received the entire cheque amount, was agreeable to compound the offence.
8. Mr. P. Talaulikar, learned Additional Public Prosecutor for the Respondent No. 2, submitted that, in view of the amicable settlement between the parties, this Court could consider the request for compounding in respect of the offence under Section 138 of the Negotiable Instruments Act, 1881. In view of the same, this Petition was listed today.

9. Today, Mr Pranav Vaze, learned Advocate for the Petitioner, states that the Petitioner is present in Court and he has identified her.
10. Ms. Akshaya Nanodkar, learned Advocate for Respondent No. 1, states that the Authorised Representative of Respondent No. 1-Credit Cooperative Society is present in Court and that she identifies him.
11. Mr. Vaze, learned Advocate for the Petitioner and Ms. Nanodkar, learned Advocate for Respondent No. 1, tender an Application under Section 147 of the Negotiable Instruments Act, 1881, duly signed by the Petitioner, the Advocate for the Petitioner Mr. Vaze, the Respondent No. 1, and the Advocate for the Respondent No. 1 Ms. Nanodkar, along with an affidavit of the Petitioner, same is taken on record and marked with 'X' for identification.
12. Petitioner and the Authorised Representative of the Respondent state the subject matter of Criminal Case No. OA/736/2022/A is settled and they have filed the Application "X".

13. In view of the statement made in the Application 'X', the parties are permitted to compound the offence. Accordingly, the Judgment and Order dated 05.03.2024 passed by the Trial Court in Criminal Case No. OA/736/2022/A is quashed and set aside. Consequently, the Applicant is acquitted in Criminal Case No. OA/736/2022/A for the offence punishable under Section 138 of the Negotiable Instruments Act, 1881, subject to the deposit as referred to in the following paragraph.
14. The Petitioner shall deposit 7.5% of the cheque amount in terms of the decision of the Hon'ble Supreme Court in *Sanjabij Tari Vs. Kishore S. Borcar*¹, reported in 2025, SCC OnLine SC 2069. Mr Vaze, learned Advocate for the Petitioner on instruction from the Petitioner, states that the said amount shall be deposited before the authority on or before 29.10.2026 and an affidavit of compliance shall be filed in the Registry of this Court by 30.10.2026. The statement is accepted.
15. In view of the above, Criminal Writ Petition No. 386 of 2026 is disposed of.
16. List on **02.11.2023** for reporting compliance on deposit.

ASHWIN D. BHOBE, J.

¹ 2025, SCC OnLine SC 2069