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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

DECIDED ON : 17th SEPTEMBER, 2015

+ **CRL.REV.P.356/2015 & CRL.M.A.11622 /15**

RAMESH KUMAR

..... Petitioner

Through : Mr.R.D.Rana, Advocate with
Ms.Tabassum, Advocate.

versus

STATE NCT OF DELHI & ANR.

.....Respondents

Through : Mr.Ashok K.Garg, APP.
Mr.Sudhir Naagar, Advocate with
Mr.Priyank Khattar, Advocate for
R2.

CORAM:

HON'BLE MR. JUSTICE S.P.GARG

S.P.Garg, J. (Oral)

1. Present revision petition has been preferred by the petitioner to challenge the legality and correctness of a judgment dated 16.05.2015 of learned Special Judge (PC Act) / Addl. Sessions Judge in Crl.A. No.22/2015 by which the judgment of learned Metropolitan Magistrate in CC No. 135/1/12 under Section 138 Negotiable Instruments Act was upheld. Sentence order was modified to the extent that compensation

amount would be ₹1,60,000/- instead of ₹2,00,000/-. The revision petition is contested by respondent No.2.

2. During proceedings, the matter was settled. Learned counsel for the respondent No.2 / complainant informed that the matter has been settled by the complainant with the petitioner without any fear or pressure. It is agreed that ₹1,00,000/- deposited by the petitioner in the form of FDR before the Trial Court shall be released to the complainant. ₹60,000/- (in cash) have been paid in the Court today to the counsel for the complainant pursuant to the settlement and in compliance of the order dated 29.07.2015. The petitioner agreed to pay additional ₹15,000/- to the complainant within four weeks. On this, learned counsel for the complainant has no objection to the compounding of the offence and disposal of the revision petition as 'settled'.

3. Since the parties have settled the dispute and the offence stands compounded by the complainant with the petitioner with his free consent without any fear or pressure, revision petition filed by the petitioners is disposed of as settled / compounded. The petitioner is acquitted.

4. Learned counsel for the petitioner prays to substantially reduce the costs to be deposited as the petitioner has remained in custody

in this case for about one month and has settled the dispute with the complainant by paying ₹15,000/- more.

5. Since the matter has been settled at revisional stage, considering the peculiar facts and circumstances of the case, the petitioner is directed to deposit ₹10,000/- as costs within two weeks before the Trial Court.

6. The revision petition stands disposed of accordingly. Pending application also stands disposed of.

7. Trial Court record (if any) along with copy of the order be sent back immediately.

(S.P.GARG)
JUDGE

SEPTEMBER 17, 2015 / *tr*