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

+ CRL.REV.P. 83/2015

KIRTI DUTTA

..... Petitioner

Represented by: Mr.Mitthan Lal, Advocate with
husband of the petitioner in
person

versus

THE STATE NCT OF DELHI & ANR

..... Respondents

Represented by: Mr.Kewal Singh Ahuja, APP
for the State
Mr.Pradeep Tyagi, Advocate
for R-2 with R-2 in person

CORAM:

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

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21.09.2016

1. The petitioner has impugned the order dated 6th January, 2015 whereby the appeal bearing Crl.A. No.10/2014 preferred by her against her conviction and sentence awarded to her by learned MM for committing the offence punishable under Section 138 NI Act, has been dismissed by the learned Appellate Court.

2. Vide judgment dated 29th May, 2014 & order on sentence dated 5th June, 2014, the petitioner has been held guilty for committing the offence punishable under Section 138 NI Act and sentenced to undergo SI for six months and pay fine of ₹60,000/- payable to the complainant as compensation and in default to further undergo SI for six months.

3. Today the complainant/respondent No.2 is present in person and submits that he has settled the dispute with the petitioner vide compromise deed dated 20th February, 2015, copy of which has already been placed on record. He further submits that he has no objection if in terms of settlement, the petitioner/accused is acquitted of the offence punishable under Section 138 N.I. Act provided she abides by the terms and conditions of settlement and make the payment as agreed.
4. Sh. Ajay Dutta, husband of the petitioner is present along with counsel and submits that petitioner undertakes to abide by the terms and conditions of the settlement.
5. The present revision petition has been preferred against the conviction of the petitioner in the criminal complaint under Section 138 N.I. Act and the sentence awarded which has been compounded by the parties. The offence under Section 138 is compoundable.
6. In view of the compounding of the offence in criminal complaint case No. 122/13, the petitioner is acquitted with liberty to the complainant/respondent No.2 to get the order on conviction and sentence revived on failure of the petitioner to abide by the terms and conditions of settlement.
7. The revision petition stands disposed of.
8. LCR be sent back along with the copy of the order.
9. Order dasti.

PRATIBHA RANI, J.

SEPTEMBER 21, 2016

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