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

+ CRL.REV.P. 826/2016
LALIT KUMAR

..... Petitioner

Through: Mr.Paramjeet Singh and
Mr.A.K.Dubey, Advocates.

versus

M/S SHREE ANK FINHOLD PVT LTD & ANR

..... Respondents

Through: Mr.Izhar Ahmad, APP for State.
Mr. B.B.Sharma, Advocate for R1
with complainant in person.

CORAM:
HON'BLE MR. JUSTICE I.S.MEHTA

ORDER
22.12.2016

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Crl.M.A.No.20024/2016 (Exemption)

Exemption granted, subject to all just exceptions.

Application stands disposed of.

CRL.REV.P. 826/2016 and Crl.M.(Bail) No.2264/2016

This is a petition under Section 397/401 read with Section 482 Cr.P.C. filed on behalf of the petitioner Lalit Kumar for quashing/setting aside the judgment dated 27.10.2014 and order on sentence dated 10.11.2014 passed by the learned M.M., Dwarka Courts, New Delhi and against order dated 24.10.2016 passed in Crl.Appeal No.47/2016 by the learned District and Sessions Judge, East, Karkardooma Courts, Delhi.

Notice. Learned APP for the State and counsel for the respondent No.1/complainant accept notice.

Learned counsel for the petitioner on instructions has submitted that the matter has been amicably compromised between the parties vide settlement deed executed between the parties on 17.12.2016 and in terms of the said settlement, an amount of Rs.1 lakh has been paid to the respondent No.1/complainant in cash towards the full and final settlement and nothing further due remains to be paid to him. Counsel further submits that since the matter has been amicably settled between the parties and the offence under Section 147 of the Negotiable Instruments Act, 1881 being a compoundable offence, the matter may be compounded and the petitioner may be ordered to be released from the jail.

The complainant is present in Court today and has been identified by his counsel. The complainant admits that he has amicably settled/compromised the matter with the petitioner vide settlement deed dated 17.12.2016 and further admits that in terms of the said settlement he has received a sum of Rs.1 lakh in cash from the petitioner. The complainant further admits that the settlement reached with the petitioner is voluntary and without any force, pressure or coercion and he has no objection if the offence is compounded and petitioner is released from jail.

Learned APP for the State, on the other hand, has pointed out that when such type of compromise takes place between the parties, then to meet the ends of justice, some costs may be imposed upon the parties.

Looking into the above facts and circumstances of the case, since it is admitted case between the parties that the offence under Section 147 N.I. Act, the present case is compoundable. I, accordingly, to meet the ends of

justice, compound the offence under Section 147 N.I. Act. Consequently, the Superintendent Jail, Tihar Jail is directed to release the present petitioner forthwith, if not wanted in any other case.

The present petition and the application are allowed and stand disposed of accordingly.

Copy of this order be given *dasti*, as prayed and a copy thereof be also sent to the concerned Jail Superintendent for necessary information and compliance.

I.S.MEHTA, J

DECEMBER 22, 2016

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