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

+ CRL.A. 215/2017

SANDEEP KUMAR

..... Appellant

Through: Mr. Sushant Mukund, Advocate with
appellant in person.

versus

MUNNA LAL

..... Respondent

Through: Mr. Akhlak Ali, Advocate with
respondent in person.

CORAM:

HON'BLE MR. JUSTICE VINOD GOEL

ORDER

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13.07.2017

1. Appellant has impugned the judgment dated 6th April, 2015 passed by the learned MM, East District, Karkardooma Courts, Delhi, by which the respondent was acquitted of the offence under Section 138 of Negotiable Instruments Act.
2. Leave was granted to file the appeal on 6th December, 2016.
3. On that day it was brought to the notice of this Court that this matter was in fact settled on 23rd October, 2013 before the trial court and the respondent/accused had agreed to make payment of Rs.54,000/- to the appellant/complainant in satisfaction of the complaint. However, the respondent/accused did not make the payment and the Court proceeded with the trial which led to the acquittal of the respondent/accused. This fact was not denied by the respondent/accused. On 6th December, 2016, before this Court, the respondent had agreed to make the payment of the said amount to

the complainant. As such this Court directed the respondent/accused to make the payment of Rs.54,000/- with interest @8% per annum with effect from 1st April, 2014. The respondent/accused had agreed to pay the same in instalments of Rs.10,000/- every month.

4. On previous date of hearing, it was informed that the respondent/accused had made the payment of two instalments of Rs.10,000/- each to the appellant.

5. Today, it is submitted by the appellant as also learned counsel for the appellant that the appellant has received a sum of Rs.66,500/- from the respondent and he does not want to pursue with the appeal.

6. Appeal is dismissed as withdrawn.

VINOD GOEL, J.

JULY 13, 2017

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