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

DECIDED ON : 21st FEBRUARY, 2018

+ **CRL.REV.P. 109/2018 & CRL.M.B. 237/2018**
GURPREET SINGH Petitioner
Through : Mr.Puneet Mittal, Sr.Advocate with
Mr.Tanuj Khurana & Mr.J.S.Narula, Advocates.

versus

STATE & ANR Respondents
Through : Mr.Tarang Srivastava, APP.
Mr.Daljinder Singh, 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 – Gurpreet Singh to challenge the legality and correctness of an order dated 02.02.2018 of learned Addl. Sessions Judge in Criminal Appeal No.208/2017 whereby the petitioner's conviction under Section 138 Negotiable Instruments Act recorded by the learned Metropolitan Magistrate was upheld. The learned Metropolitan Magistrate had sentenced the petitioner to undergo imprisonment for three months with compensation ₹2 lacs.

2. During the course of arguments, the matter was settled / compounded by the parties.

3. It is agreed that the complainant has already received ₹3 lacs in civil proceedings instituted against the petitioner qua the

cheque in question. It is further informed that a demand draft for a sum of ₹2 lacs is lying with the Trial Court. Learned counsel for the petitioner has no objection if the said amount of ₹2 lacs is given to the complainant.

4. Nominal roll dated 17.02.2018 reveals that the petitioner is in custody for the last around 14 days as on 16.02.2018.

5. It is further agreed that the demand draft lying before the Trial Court shall be taken back by the petitioner and a fresh demand draft shall be issued in the name of the complainant and handed over to her within two weeks.

6. Since the matter has been settled between the parties amicably without any fear or pressure, the revision petition stands disposed of as such in the above terms and the petitioner is acquitted of the charge.

7. Since the revision petition has been settled / compromised at revisional stage, the petitioner is burdened with costs ₹30,000/- to be deposited within two weeks before the Trial Court.

8. Pending bail application also stands disposed of.

9. Superintendent jail be informed and the petitioner be released forthwith if not required to be detained in any other case.

10. Order '*dasti.*'

(S.P.GARG)
JUDGE

FEBRUARY 21, 2018 / tr