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

DECIDED ON : 9th APRIL, 2018

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CRL.REV.P. 146/2018

M/S HARRY & SONIA SALON PVT LTD & ANR.

.... Petitioners

Through : Mr.Gurpratap Singh, Advocate.

versus

THE STATE GOVT OF NCT OF DELHI & ANR.

.... Respondents

Through : Mr.Tarang Srivastava, APP.

Mr.K.S.Sharma, Advocate with Mr.Raj K.Varshney,
Advocate for R2 along with R2 in person.

CORAM:

HON'BLE MR. JUSTICE S.P.GARG

S.P.GARG, J. (Oral)

CRL.M.A.No. 6273/2018

1. Since the matter has been settled between the parties, the file is taken up today.
2. The application stands disposed of.
3. The date already fixed in the matter i.e. 20.07.2018 stands cancelled.

CRL.REV.P. 146/2018

1. The petitioner was convicted under Section 138 Negotiable Instruments Act by a judgment dated 01.02.2017 and was

sentenced to undergo simple imprisonment for eight months with fine ₹6 lac. The said order was challenged in Crl.A. 106/2017; it came to be dismissed. The appellant was taken into custody.

2. The substantive sentence was suspended by an order dated 19.03.2018 on petitioner's offer to pay ₹1.5 lacs to the complainant within two weeks.

3. The matter is stated to have been settled / compounded between the parties. Respondent No.2 is present with counsel. I have enquired from the complainant/ respondent No.2 if the matter has been settled/ compounded by him with the petitioner with his free consent without any fear or pressure. He informs that the dispute has been settled with the petitioner amicably with his free consent. He has no objection to the disposal of the present revision petition as compounded / settled.

4. I am satisfied that the matter has been compounded by the complainant with the petitioner with his free consent and pursuant to the settlement the payments have since been made.

5. Since the matter has been settled between the parties, the petition is disposed of as settled / compounded. The petitioner is acquitted of the charge.

6. Since the matter has been settled at the revisional stage, as per the directions of the Hon'ble Supreme Court, the petitioner is required to pay costs. The petitioner has prayed for lenient view as he is unable to pay the costs due to poor economic condition.

7. Considering the facts and circumstances of the case and the economic condition of the petitioner whereby he remained in

custody for about twenty days, lenient view is taken and costs ₹30,000/- are imposed. This amount shall be deposited by the petitioner within two weeks before the Trial Court.

8. The revision petition stands disposed of.

9. Copy of the order be sent to the Court concerned.
Intimation be sent to the Superintendent Jail.

(S.P.GARG)
JUDGE

APRIL 09, 2018 / tr

