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

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Judgment delivered on: 13.11.2018

+ CRL.REV.P. 155/2018

RAJINDER PAL SINGH

..... Petitioner

versus

THE STATE GOVT OF NCT OF DELHI & ORS

..... Respondents

Advocates who appeared in this case:

For the Petitioner : Mr. Pradeep Teotia with Mr. Harmeet Singh, Advocates with petitioner in person.

For the Respondents : Ms. Kusum Dhalla, APP for the State.
Mr. K. Venkatraman with Mr. Anil Jasyal and Mr. Neeraj,
Advocates for respondent with respondent in person.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

13.11.2018

SANJEEV SACHDEVA, J. (ORAL)

CRL.REV.P. 155/2018 & CrI.M.(Bail) 342/2018

1. Petitioner impugns judgment dated 13.02.2018, whereby, the Appellate Court rejected the appeal of the petitioner impugning judgment of conviction dated 05.06.2017 and order on sentence dated 30.06.2017.

2. Petitioner was convicted of an offence under Section 138 Negotiable Instrument Act, 1881 and sentenced to undergo simple imprisonment for a period of 3 months and to pay compensation of Rs.13,75,000/-. Subject cheque was of Rs.10,00,000/-.

3. Parties were referred to mediation. Parties have settled their disputes through the process of mediation held before Delhi High Court Mediation & Conciliation Centre. Settlement Agreement dated 01.11.2018 has been executed.

4. As per the settlement, the petitioner has agreed to pay a total amount of Rs.11,30,000/- to the respondent complainant in full and final settlement of all claims of the complainant. Rs.1,30,000/- has already been paid to the respondent complainant. Petitioner has deposited a sum of Rs.10,00,000/- with this Court in terms of order dated 26.02.2018. As per the settlement, it is agreed that the entire amount of Rs.10,00,000/- along with accrued interest, if any thereof, be released to the respondent complainant.

5. Respondent Complainant is present in court. She submits that she has settled with the petitioner and has no objection to the compounding of the subject offence in terms of the settlement.

6. It is agreed that out of the amount of Rs.10,00,000/-, deposited with this Court, cost equivalent to 15% of the cheque amount in terms of the judgment of the Supreme Court in *Damodar S. Prabhu, Vs. Syed Babulal (2010) 5 SCC 663* be remitted by the Registry to the Delhi State Legal Services Authority.

7. The petitioner, who is present in Court in person, undertakes that he shall pay a sum of Rs.1,50,000/- along with interest of Rs.2,500/- to the respondent complainant within three months from today. The undertaking is accepted.

8. Out of the said amount of Rs.10,00,000/- deposited by the petitioner, the Registry is directed to remit Rs. 1,50,000/- to the account of the Delhi State Legal Services Authority and the balance amount along with interest accrued on Rs. 10,00,000/-, if any, be released in favour Ms. Maninder Kaur, the complainant.

9. The petitioner shall, in terms of his undertaking, pay a sum of Rs.1,50,000/- and Rs. 2,500/- to Ms. Maninder Kaur on or before 13.02.2018. The petitioner has been made aware of the consequences of breach of the undertaking.

10. In view of the above, the request of the petitioner for compounding of the offence is accepted. The subject offence is compounded. The petitioner is acquitted of the said offence.

11. The petition is disposed of in the above terms.

12. Order Dasti under the signatures of the Court Master.

NOVEMBER 13, 2018
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SANJEEV SACHDEVA, J