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

DECIDED ON : 7th MARCH, 2018

+ **CRL.REV.P. 189/2018**
LAKHAN SINGH @ VICKY Petitioner
Through : Mr.Hamid Ali, Advocate along with
petitioner's wife in person.
versus
KAUSHAL KUMAR Respondent
Through : Respondent in person.

CORAM:
HON'BLE MR. JUSTICE S.P.GARG

S.P.GARG, J. (Oral)

CRL.M.A.No. 4226/2018 (Exemption)

Exemption allowed subject to all just exceptions.

The application stands disposed of.

CRL.REV.P. 189/2018 & CRL.M.B. 394/2018

1. Present revision petition has been preferred by the petitioner – Lakhan Singh @ Vicky to challenge the correctness of a judgment dated 06.02.2018 of learned Addl. District & Sessions Judge in Crl.A.272/2017 whereby findings on conviction recorded by the learned Metropolitan Magistrate for commission of offence punishable under Section 138 Negotiable Instruments Act were endorsed. The revision petition is not contested by the respondent.

2. The petitioner was convicted under Section 138 Negotiable Instruments Act by an order dated 21.09.2017 by the Court of learned Metropolitan Magistrate. By an order dated 12.10.2017, he was sentenced to undergo simple imprisonment for one month and to pay fine ₹3.25 lacs. In appeal while maintaining the conviction the sentence order was modified whereby the amount ₹3.25 lacs was directed to be paid to the complainant as compensation.

3. During the course of arguments, the respondent, who appeared in person, informed that the matter has been settled with the petitioner and he has received the compensation amount of ₹3.25 lacs. The complainant further informed that the matter has been settled with the petitioner amicably without any fear or pressure and he has no objection if the revision petition is disposed of as settled / compounded.

4. This Court is satisfied that the respondent / complainant has compounded the offence with the petitioner amicably with his free consent.

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. He shall be released forthwith if not required to be detained in any other case.

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.

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

custody since 06.02.2018, lenient view is taken and the costs ₹20,000/- are imposed. This amount shall be deposited by the petitioner within two weeks before the Trial Court.

8. The revision petition stands disposed of. Pending application also 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

MARCH 07, 2018 / tr