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

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Judgment delivered on: 04.10.2018

+ CRL.M.C. 3236/2018

ANIL

..... Petitioner

versus

SAHAB SINGH & ANR.

..... Respondents

Advocates who appeared in this case:

For the Petitioner:

Mr. Kedar Yadav and Mr. Sanjeev Kr. Baisoya,
Advs.

For the Respondents:

Mr. Harkaran Singh, Adv. for R-1 in person.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

04.10.2018

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioner seeks quashing of judgment dated 06.06.2018 of the Appellate Court whereby the appeal of the petitioner impugning the order on conviction dated 03.02.2018 and order on sentence dated 21.03.2018 has been dismissed.

2. The petitioner has been convicted of the offence under Section 138 of Negotiable Instruments Act. Cheque subject matter of the complaint was of Rs.90,000/-.

3. Petitioner and respondent No.1-complainant have settled their disputes. Petitioner has agreed to pay a total amount of Rs. 1,15,000/- in full and final settlement of all the claims of respondent No.1.

4. Entire amount of Rs.1,15,000/- has already been paid. Respondent No.1 who is present in person in the Court today, submits that he has received his amount and has no objection to the compounding of the subject offence.

5. Learned counsel for the petitioner has produced the receipt in the Court evidencing that 15% of the cheque amount i.e. Rs.13,500/- has been deposited with the Delhi High Court Legal Services Committee in terms of the judgment of the Supreme Court in *Damodar S. Prabhu, Vs. Syed Babulal* (2010) 5 SCC 663.

6. In view of the petitioner having settled the dispute with the respondent and paid the settlement amount and also the costs in terms of the judgment in *Damodar S. Prabhu (supra)*, subject offence is compounded. Petitioner is acquitted of the said offence.

7. The petition stands disposed of in the above terms.

8. Order *Dasti* under the signature of the Court Master.

SANJEEV SACHDEVA, J

OCTOBER 04, 2018

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