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

NATIONAL LOK ADALAT

\+ CRL.REV.P. 223/2015

RAJENDER KUMAR .... Petitioner

Through: Petitioner in person.

Versus

PANKAJ BANSAL & ANR. ..... Respondents

Through: Respondent no.1 in person.

CORAM:

HON'BLE MR. JUSTICE VINOD GOEL
MR. K. VENKATRAMAN (CO-MEMBER)

<u>O R D E R</u>

% 08.09.2018

1. In this revision petition, the petitioner has challenged the order dated 13.11.2013 of Ld. ASJ-II, North West, Rohini, dismissing his appeal against order dated 03.06.2013 by which he was convicted for the offence under Section 138 of the Negotiable Instruments Act, 1881 by MM, North, Rohini. He also assailed order dated 16.07.2013 by which he was sentenced for simple imprisonment for a period of six months and directed to pay Rs.5,00,000/- as compensation to the respondent within one month, failing which he was to undergo simple imprisonment for two months.

2. On 16.09.2015, sentence of the petitioner was suspended by this Court and he was directed to be released on bail on depositing a draft of Rs.1,50,000/- in the name of Registrar General of this court. The said amount has already been deposited in the form of FDR.

3. Now, the matter was amicably settled in pre-sitting Lok Adalat held on 04.09.2018. The terms of the settlement reads as under:-

> "After some discussions, it is agreed between the parties that if the petitioner pay a lump sum of Rs.2,00,000/-, respondent will not press for imprisonment of the petitioner or fine imposed under section 138 of N.I. Act.
>
> It is agreed between the parties that in case the FDR of rupees 1.5 lacs deposited by the petitioner, carrying interest become less than two lacs, in that event the petitioner shall pay the balance amount to the respondent in terms of agreed payment. In case the FDR with accrued interest becomes more than rupees two lacs, rupees two lacs will go to the respondent and rest shall got to the petitioner. Both the parties submits that that the criminal revision be disposed off in terms of the settlement as referred above."

4. In view of the above, it is directed that in case the maturity amount of FDR of Rs.1,50,000/- is short of Rs.2 lacs, the deficient amount shall be paid by the petitioner to the respondent no.1 within 15 days. In case, the FDR with accrued interest thereon is more than Rs.2,00,000/-, Rs.2,00,000/- would be released to the respondent No.1 and the excess amount shall be refunded to the petitioner. The registry is directed to release the amount deposited by the petitioner to the respondent no.1 not exceeding Rs.2 lacs forthwith.

5. Accordingly, the petition is disposed of.

6. Copy of the order be given dasti under the signatures of the court Master.

(VINOD GOEL)
PRESIDING OFFICER

(K. VENKATRAMAN)
CO-MEMBER

SEPTEMBER 08, 2018
"shailendra/sandeep"