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

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Judgment delivered on: 11.10.2018

+ CRL.REV.P. 793/2018

AMAR SINGH

..... Petitioner

versus

STATE & ANR.

..... Respondents

Advocates who appeared in this case:

For the Petitioner : Mr. Arun Kumar, Advocate with
petitioner in person.

For the Respondent : Mr. Sanjeev Sabharwal, APP for the
State.
Respondent No.2 in person.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

11.10.2018

SANJEEV SACHDEVA, J. (ORAL)

**CRL.REV.P. 793/2018 & Crl.M.(Bail) 1449/2018(for suspension
of sentence)**

1. The petitioner impugns judgment dated 21.08.2018 of the appellate court, whereby the appeal of the petitioner impugning order on conviction and order on sentence dated 26.05.2018 has been dismissed.

2. The petitioner has been convicted of an offence under Section 138 of the Negotiable Instruments Act. Subject cheque was of Rs. 94,000/-.

3. Learned counsel for the petitioner submits that the parties have settled their disputes and settlement agreement dated 29.08.2018 has been entered into. He further submits that in terms of the settlement, the petitioner has agreed to pay a total sum of Rs. One lakh to respondent no. 2 in full and final settlement of all his claims. He submits that a sum of Rs. 40,000/- has already been paid to respondent no. 2 on 29.08.2018 and the balance sum of Rs. 60,000/-, has been paid in Court today. Pay Order bearing No.647473 dated 10.09.2018 drawn on UCO Bank in the sum of Rs.60,000/- has been handed over to respondent No.2, who is present in Court in person.

4. On 13.09.2018, petitioner had sought time to deposit cost equivalent to 15% of the cheque amount with Delhi State Legal Services Authority in terms of the judgment of the Supreme Court in *Damodar S. Prabhu vs. Sayyad Babulal*: (2010) 5 SCC 663. Cost in the sum of Rs.14,100/- has been deposited with the Delhi State Legal Services Authority and the receipt of deposit of cost has been filed.

5. Mr. Rajesh Kumar, respondent No.2 submits that he has received the entire settlement amount and has no objection to the compounding of the subject offence.

6. In view of the petitioner having settled the dispute with the

respondent and having paid the entire settlement amount and also depositing the costs in terms of the judgment in *Damodar S. Prabhu (supra)*, subject offence is compounded. Petitioner is acquitted of the said offence.

7. Petition is disposed of in the above terms.

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

OCTOBER 11, 2018
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SANJEEV SACHDEVA, J



नित्यमेव जयते