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

+ CRL.REV.P. 1153/2018

MS. JOGINDER PALPetitioner

Through: Ms. Anita Tiwari, Advocate

Versus

STATE & ANR.Respondents

Through: Mr. Izhar Ahmad, Additional
Public Prosecutor for respondent-
State

Mr. Varun Tyagi and Mr. Bharat
Gupta, Advocates for respondent
No. 2

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER

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25.04.2019

Impugned judgment of 1st December, 2018 upholds petitioner's conviction under Section 138 of Negotiable Instrument Act, 1881 and the sentence of simple imprisonment for six months and compensation of ₹3,75,000/-.

While entertaining this petition, petitioner was directed to deposit of sum of ₹3,00,000/- with the Registrar General of this Court and the said amount has been invested in FDR.

Learned counsel for parties submit that trial court's judgment as well as appellate court's judgment have to be modified, as both the sides have compounded the offence in question for a sum of ₹3,15,000/-.

In the facts and circumstances of this case, the impugned

judgments are modified in terms of the settlement arrived between the parties. Accordingly, deposit of ₹3,00,000/- made by petitioner (invested into FDR with interest accrued thereon) be released to second respondent.

It is undertaken on behalf of petitioner that the sum of ₹15,000/- would be paid to second respondent on or before 20th May, 2019. While taking on record the aforesaid undertaking, this petition is accordingly disposed of, with rider that in case petitioner defaults, then second respondent is at liberty to get this petition revived.

(SUNIL GAUR)
JUDGE

APRIL 25, 2019

v

