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

+ **CRL.REV.P. 169/2019 and CRL.M.(BAIL) 277/2019**

M/S ANNPURNA OFFICE SYSTEMS Petitioner
Through: Mr Amit Sinha, Advocate.

versus

STATE OF NCT OF DELHI & ANR Respondents
Through: Ms Kusum Dhalla, APP for State.
Mr M.S. Sharma, Advocate for R-2.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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17.02.2020

1. At the outset, the learned counsel appearing for the petitioner states that the disputes between the petitioner and respondent no.2 have been settled in terms of the Settlement Agreement dated 10.12.2019 arrived at before the Delhi High Court Mediation and Conciliation Centre. A copy of the said Settlement Agreement has also been placed on record.
2. The learned counsel for the petitioner prays that the offence, for which the petitioner has been convicted, be compounded. The learned counsel appearing for the respondent states that since the parties have settled their disputes, the respondent has no objection if the offence is compounded.
3. By an order dated 24.07.2018 passed by the learned MM, arising out of a complaint (*CC No. 526153/2016* captioned *S.S. Office v. Annpurna Office*) filed by the respondent, the petitioner was convicted for an offence under Section 138 of the Negotiable Instruments Act, 1881 and was

sentenced to imprisonment for a period of six months. The petitioner was further directed to compensate the complainant (respondent) by paying a sum of ₹7,35,000/-.

4. Aggrieved by the same, the petitioner preferred an appeal before the learned Special Judge, which was dismissed by a judgment dated 24.01.2019 (impugned herein).

5. However, considering that the parties have since compromised the matter, this Court considers it apposite to permit the petitioner to compound the offence. The financial condition of the petitioner is stated to be dismal and in view of the above, the condition to deposit 15% of the cheque amount of ₹4,14,686/- (in terms of the decision of the Supreme Court in *Damodar S. Prabhu v. Sayed Babalal H.:* (2010) 5 SCC 663), is relaxed.

6. The petitioner shall deposit ₹20,000/- with Delhi State Legal Services Authority, Central District within a period of two weeks. The petitioner stands acquitted on depositing the aforesaid sum with the DSLSA.

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

8. The pending application is also disposed of.

VIBHU BAKHRU, J

FEBRUARY 17, 2020
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