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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.REV.P. 95/2020 & CrI.M.A. 2235/2020 & CrI.M(B)**
190/2020

SUDHIR KUMAR GUPTA Petitioner
Through: Mr. Sajan K. Singh & Ms.Neha
Sharma, Advocates

Versus

STATE & ANR. Respondents
Through: Mr. Raguvender Singh, Additional
Public Prosecutor for respondent
No.1/State

CORAM:
HON'BLE MR. JUSTICE BRIJESH SETHI

% **ORDER**
03.02.2020

Vide this petition, setting aside of judgment dated 28th January, 2020 passed by the learned Sessions Judge and order dated 18th December, 2019 passed by the learned Metropolitan Magistrate is sought vide which petitioner has been held guilty in a complaint case under Section 138 of Negotiable Instruments Act, 1881 and has been awarded simple imprisonment for one year and to pay fine of Rs.3,25,000/- out of which Rs.3,15,000/- has to be paid to the complainant and Rs.10,000/- shall be deposited as fine to the State. In default of payment of fine, petitioner has been directed to undergo simple imprisonment of six months in addition to the substantive sentence awarded. Petitioner is said to be in judicial custody since 28th January, 2020.

Learned counsel for the parties on the last date of hearing i.e. on 31st January, 2020 had informed the Court that the matter between the parties stand settled for a sum of Rs.3,30,000/- and learned counsel for second respondent had affirmed it. Thereafter, time was sought by learned counsel for the petitioner to deposit the fine of Rs.10,000/- and a date for today was prayed for.

Today learned counsel for petitioner submits that the fine stands deposited and has placed on record a copy of receipt thereof.

Heard.

Since the subject matter of this petition stands amicably resolved between the parties and fine of Rs.10,000/- stands paid, in these circumstances the petitioner be released from custody forthwith.

Let the concerned Court be apprised of this order. Let a copy of this order be sent to the concerned Jail Superintendent for compliance and petitioner be released forthwith, if not wanted in any other case.

The petition and applications stand disposed of accordingly.

Dasti.

BRIJESH SETHI, J

FEBRUARY 03, 2020

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