$~64

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

\+ CRL.REV.P. 222/2020

SUBHASH CHAND LUTHRA ..... Petitioner

Through: Mr.A.K.Tripathi, Advocate.

versus

M/S. PUNJANI CHITS PVT. LTD. ..... Respondent

Through: Complainant in person.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

O R D E R

% 17.03.2020

Crl.M.A.No.5539/2020 (Exemption)

1. Allowed, subject to all just exceptions.

2. Application stands disposed of.

CRL.REV.P. 222/2020

1. The present revision petition has been filed under Section 401 read with Section 397 and 482 Cr.P.C. impugning the order dated 26.02.2020 passed by the Addl. Sessions Judge in Crl.A.No.198/2019 whereby the order of conviction passed by the learned M.M. for the offence punishable under Section 138 Negotiable Instruments Act was upheld.

2. The present case relates to dishonour of a cheque bearing No.000008 dated 28.01.2013 drawn on Bank of India, Tilak Nagar, New Delhi for a sum of Rs.2,34,000/- issued by the petitioner in favour of the respondent/complainant towards the discharge of his liability.

3. Learned counsel for the petitioner has drawn the attention of this Court to the compromise deed dated 04.03.2020 (Annexure-F) entered into between the petitioner and the complainant. According to the aforesaid settlement, the entire dispute between the petitioner and the complainant

relating to the present case and other cases has been settled for a total sum of Rs.19,80,000/-.

4. The complainant is present in person and submits that a settlement has been entered into between him and the petitioner and in terms of the said settlement, he has received the compensation amount of Rs.3,80,000/- towards the settlement of his dues in the present case.

5. Learned counsel for the petitioner, on instructions from the petitioner, who is present in person submits that cost @ 15% of the cheque amount in terms of the decision rendered in the case of Damodar S.Prabhu v. Sayed Babalal H. reported as **(2010) 5 Supreme Court Cases 6635** shall be deposited by the petitioner with the Delhi High Court Legal Services Committee within a period of one week from today.

6. Accordingly, in view of the above and subject to deposit of the cost amount, the offence under Section 138 N.I. Act is compounded and the petitioner stands acquitted of the offence punishable under Section 138 N.I. Act.

7. The revision petition stands disposed of in the above terms.

8. Proof of deposit of costs be filed in the Court.

9. A copy of this order be sent to the concerned Jail Superintendent for information and necessary compliance.

DASTI.

MANOJ KUMAR OHRI, J

MARCH 17, 2020
'dc'