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

% Judgment delivered on: 20.07.2023

+ CRL.REV.P. 205/2023

SURENDER SINGH TANEJA

..... Petitioner

versus

THE STATE, THROUGH- SHO,
PS- MUKHARJEE NAGAR, & ANR

..... Respondent

Advocates who appeared in this case:

For the Petitioner : Mr. Anurag Jain and Mr. Sanchit Sain,
Advocates alongwith petitioner

For the Respondent : Mr. Satinder Singh Bawa, APP for
State with SI Jeetendra Singh, P.S.
Mukherjee Nagar.
Mr. Sameer Mendiratta, Advocate for
R-2.

CORAM:

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

JUDGMENT

TUSHAR RAO GEDELA, J. (ORAL)

[The proceeding has been conducted through Hybrid mode]

1. After some arguments, learned counsel appearing for the parties jointly submit that there could be a possibility of the settlement on the deposit amount itself.

2. Mr. Anurag Jain, learned counsel for the petitioner, submits that



the petitioner is present in person and under instructions, submits that the amount so deposited to the extent of Rs.1,50,000/- as directed vide this Court's order, may be released in favour of respondent no.2 as a full and final settlement amount.

3. Mr. Sameer Mendiratta, learned counsel for respondent no.2 submits, under instructions, that the respondent no.2 is willing to accept the said deposit of Rs.1,50,000/- as full and final settlement towards all claims pending against the petitioner.

4. In that view of the matter, it is directed that the learned Trial Court pass appropriate directions for release of the said amount deposited before it by the petitioner in favour of respondent no.2.

5. As per Mr. Mendiratta, the original Demand Draft which was deposited before the learned Trial Court, was not converted into FDR despite directions of this Court. Resultantly, the first said Demand Draft expired by efflux of time. subsequently, a fresh Demand Draft for a sum of Rs.1,50,000/- was deposited by the petitioner which may now be released in favour of respondent no.2.

6. Learned Trial Court is directed to consider the said request and in case the said amount has not been converted into FDR as yet, the same be released in favour of respondent no.2, forthwith. In case it has been converted into an FDR, the same be released to respondent No.2 with accrued interest till date of release.

7. In view of the aforesaid and under the powers conferred upon this Court under Section 147 of NI Act, 1881, the offence is compounded.

8. The order of conviction by the learned Trial Court as also of First Appellate Court stand set aside.



9. The revision petition is allowed in afore terms.
10. List the matter before the learned Trial Court on 31.07.2023.
11. Both the parties are also directed to appear before the learned Trial Court on 31.07.2023 so as to ensure that the said amount is released in favour of respondent no.2 smoothly.

JULY 20, 2023

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TUSHAR RAO GEDELA, J.

