



\$~18

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

+ **CRL.M.C. 1006/2022**

PUSHPA SINGHAL

.....Petitioner

Through: Mr. Shiv Chopra, Ms. Adya Khanna,
Advvs.

versus

STATE OF NCT DELHI & ORS.

.....Respondents

Through: Mr. Tarang Srivastava, APP for the
State.
Mr. Suhail Shah, Ms. Shajahan,
Advocates for R-2 and 3 with R-2 and
3.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

07.08.2024

%

1. On 22.04.2024, this Court had passed the following Order:

“1. The respondent nos.2 and 3 are present in Court in person. They admit that a total of Rs.42 lakhs in principal along with interest, which was to be paid at 12% per annum, is remaining due to be paid to the petitioner.

2. Today, they have handed over, in Court, seven Demand Drafts (in the name of the petitioner) totaling to a sum of Rs.30 lakhs to the learned counsel for the petitioner. They request that the interest component be waived of or at least be reduced. The details of the demand drafts are as under:

<i>Sl. No.</i>	<i>Cheque no.</i>	<i>Amount</i>	<i>Drawn on</i>	<i>Dated</i>
<i>1.</i>	<i>527375</i>	<i>Rs.2,50,000/-</i>	<i>ICICI Bank,</i>	<i>10.04.2024</i>



			Rohini,	
2.	527379	Rs.5,00,000/-	ICICI Bank, Rohini,	10.04.2024
3.	527380	Rs.5,00,000/-	ICICI Bank, Rohini,	10.04.2024
4.	527378	Rs.5,00,000/-	ICICI Bank, Rohini,	10.04.2024
5.	527374	Rs.5,00,000/-	ICICI Bank, Rohini,	10.04.2024
6.	527376	Rs.2,50,000/-	ICICI Bank, Rohini,	10.04.2024
7.	527377	Rs.5,00,000/-	ICICI Bank, Rohini,	10.04.2024

3. The respondent nos.2 and 3 undertake that the balance amount of principal due along with interest of Rs. 3.50 lakhs shall be paid by the respondent nos.2 and 3 on or before 31.07.2024 to the petitioner, irrespective of whether the respondent nos.2 and 3 are in a position to file a petition seeking quashing of the FIR or not.

4. The petitioner, who appears virtually, graciously agrees that, subject to the compliance with the undertaking of the respondent nos.2 and 3 that the balance amount of Rs.15.50 lakhs shall be paid to her on or before 31.07.2024, she is ready and willing to accept a sum of Rs.3.50 lakhs towards the interest component in full and final settlement of her claim.

5. The respondent nos.2 and 3 shall remain bound by the statement and undertaking given to the court, even at the peril of contempt.

6. In case the respondent nos.2 and 3 do not comply with the above undertaking, they shall remain personally present in the Court on the next date of hearing.

7. This Court, by its order dated 14.02.2024, had



imposed costs of Rs.1 lakh for non-appearance of the respondent nos.2 and 3. They have explained the reasons for their non-appearance and request that the costs be waived.

8. Having considered the reasons given by the respondent nos.2 and 3 and in view of their above undertaking, the costs is reduced to Rs.10,000/-, which they shall deposit with the Delhi High Court Legal Services Committee within a period of two weeks from today. Proof of such deposit shall be filed by them in the Registry of this Court before the next date of hearing.

9. List on 7th August, 2024.”

2. A perusal of the said Order reveals that the total amount which was due and payable to the Petitioner was Rs.42 lakhs with interest which came to about Rs.49 lakhs.
3. Out of the said Rs.49 lakhs, Rs.30 lakhs were paid on 22.04.2024, the Petitioner was gracious enough to waive the portion of the interest component provided a sum of Rs.15.5 lakhs was paid by the Respondents No.2 & 3 on or before 31.07.2024.
4. Today, learned Counsel for Respondents No.2 & 3 has handed-over three demand drafts dated 31.07.2024, 06.08.2024 & 07.08.2024 drawn on ICICI Bank amounting to Rs.5,00,000/-, 3,50,000/- & 7,00,000/- respectively to the learned Counsel for the Petitioner during the course of hearing.
5. There is obviously default on the part of the Respondents No.2 & 3 in complying with the Order dated 22.04.2024 for which there is no plausible reason forthcoming from Respondents No.2 & 3. However, to put a quietus



to the matter, this Court is not inclined to punish the Respondents No.2 & 3 for willfully disobeying the Orders of this Court. However, Respondents No.2 & 3 are directed to deposit a sum of Rs.25,000/- with the *Armed Forces Battle Casualties Welfare Fund* within four weeks from today. A copy of the receipt be given to the Investigating Officer and also be filed with the Registry of this Court to show compliance of the order within four weeks thereafter.

6. The Respondents No.2 & 3 are also directed to plant 50 trees on their own expense in their locality and nurture them. The Investigating Officer is directed to ensure that the trees are planted by the Respondents No.2 & 3 and a Compliance Report regarding the same shall also be filed with the Registry of this Court within six weeks from today.

7. Petitioner is at liberty to file appropriate application seeking release of any other amount which stands deposited with the Court.

8. With the aforesaid directions, the amount stands settled. Accordingly, the Petition stands disposed of along with the pending applications, if any.

SUBRAMONIUM PRASAD, J

AUGUST 7, 2024

Rahul