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

+ **CRL.REV.P. 290/2024**

MOHD KHALID

..... Petitioner

Through: Mr. Muhammad Arif and Mr.
Jafaruddin Zafar, Advocates.

versus

OM PRAKASH

..... Respondent

Through: Mr. Ajit Kumar Gola, Advocate
alongwith Respondent in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

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06.05.2024

1. The present petition under Section 397 read with Section 401 of the CrPC seeks following prayers:-

“It is therefore prayed that this hon’ble court may kindly be pleased to:-

(i) Call the records of the appellate and trial courts and set aside the impugned Order/Judgment dated 07-02-2024 passed by Hon’ble Court of Shri Balwant Rai Bansal : Special, Judge (NDPS) Shahdara. Karkarduma Delhi in Crl. Appeal No.243/2023 titled Mohd. Khalid Vs Om Prakash.

(ii) Re-appreciate the evidence and acquit the convict by setting aside the impugned conviction order dated 04-11-2023 and order on sentence dated 20-11-2023 passed by Shri Dev Chaudhry : Ld. MM, Shahdara, Karkarduma Delhi in complaint case No. 8654/2016 titled Om Prakash Vs. Mohd. Khalid.

(iii) Direct the respondent to Return Rs. 60,000/- deposited as 20% of the fine amount by way of D/D at the time of hearing of appeal before the Appellate Court.

(iv) Pass any other order/direction as maybe deemed necessary and proper under the facts and circumstances of the case, in the interest of justice.”

2. Learned counsel appearing on behalf of the petitioner submits that during the pendency of the aforesaid revision petition, petitioner and



respondent have arrived at a settlement *vide* agreement dated 05.05.2024. Copy of the same has been handed up in Court today and the same is taken on record.

3. In terms of the aforesaid agreement the matter has been resolved for a total sum of Rs. 3,00,000/- to be paid by the petitioner to the respondent; out of which Rs. 60,000/- has already been paid by the petitioner to the respondent by way of DD dated 12.01.2024 and it is pointed out a sum of Rs. 60,000/- has already been deposited by way of an FDR in the name of the learned Registrar General of this Court *vide* DD No. 507101 dated 06.03.2024.

4. Further, as per the settlement deed, the remaining amount of Rs. 1,80,000/- has been paid to him in court today, by means of a demand draft.

5. A demand draft bearing no. 507202 dated 04.05.2024 for Rs. 1,80,000/- drawn on Kotak Mahindra Bank has been handed over to the respondent, who acknowledges the receipt of the same.

6. Respondent states that the matter has been settled with the petitioner. He further states that all the terms of the agreement have been complied with.

7. In view of the above, the matter stands compounded and the petitioner is acquitted. The amount deposited with the Registrar General of this Court *vide* DD No. 507101 be released to respondent alongwith any interest that has been accrued therein. Bail bonds, if any, stand discharged.

8. The present petition is disposed of accordingly.

9. Pending application(s), if any, also stand disposed of.

AMIT SHARMA, J
MAY 06, 2024/sn

[Click here to check corrigendum, if any](#)