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

+ **CRL.REV.P. 309/2024**

PATRICK MASIH

.....Petitioner

Through: Mr. Pradeep Kumar Arya, Mr. Aditya Kumar Yadav, Mr. Gaurav Chaudhary, Mr. Varun Jawla & Ms. Prachi Yadav, Advocates with petitioner in person.

versus

EARNEST SUNIL JONATHAN

.....Respondent

Through: Mr. Brahmanand Gupta & Mr. J.P. Prasad, Advocates.
Respondent No. 2 through VC.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

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12.08.2024

1. The present Revision Petition under Sections 397/401 read with Section 482 of the Code of Criminal Procedure, 1973 has been filed on behalf of the petitioner seeking to set aside the impugned Judgment dated 26.02.2024 passed by learned Additional Sessions Judge-05, Patiala House Court, New Delhi District, New Delhi in Criminal Appeal No. 62/2023, wherein the petitioner has been sentenced to undergo simple imprisonment for a period of three years with fine to the tune of Rs. 5,00,000/-, out of which Rs. 4,90,000/- shall be as compensation to the respondent/complainant and Rs. 10,000/- as fine.
2. The petitioner is present in person in the Court and whereas the respondent is appearing through video conferencing.



3. It is submitted that the petitioner has already deposited Rs. 5,40,000/- in the Court.
4. The respondent submits that he is willing to compound the matter with the petitioner on payment of Rs. 5,00,000/- from the deposited amount.
5. Both the petitioner and the respondent have endorsed that they have voluntarily arrived at a compromise and the respondent has no objection if the matter is settled.
6. In view of the voluntary settlement arrived at *inter se* the parties, the conviction under Section 138 of the Negotiable Instruments Act, 1881 and order of sentence of simple imprisonment for a period of three months and fine of Rs. 5,00,000/- is set aside and the complaint under Section 138 of the Negotiable Instruments Act, 1881 is compounded. The petitioner is hereby acquitted and his bail bond and surety bond are discharged. The sum of Rs. 5,00,000/- along with the accrued amount be released to the respondent forthwith from the amount deposited with the Registrar General of this Court. The balance amount along with accrued amount be released to the petitioner.
7. Accordingly, the present petition is disposed of.

NEENA BANSAL KRISHNA, J

AUGUST 12, 2024
S.Sharma