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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.REV.P. 361/2024 & CRL.M.A. 8213/2024 &
CRL.M.(BAIL) 445/2024
ASHOK SINGH KHUNGA @ ASHOK SINGH

..... Petitioner

Through: Mr.Subodh Kumar & Mr.Hem
Kumar, Advs.

versus

THE STATE NCT OF DELHI & ANR.

..... Respondents

Through: Mr.Satinder Singh Bawa, APP.
Mr.Gurjot Singh & Ms.Rishi
Sood, Advs. for R-2 with R-2
present in person.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

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19.03.2024

1. The learned counsels for the petitioner and the respondent no.2 submit that the parties have amicably settled their disputes and have executed a Compromise Deed/Memorandum of Understanding recording the terms thereof. One of the conditions of the settlement is that the amount of Rs.1,05,000/-, which has been deposited by the petitioner with the learned Trial Court, shall be released in favor of the respondent no.2.

2. In view of the settlement arrived at between the parties, and binding the petitioner to the terms of the settlement, and also subject to the condition that the petitioner deposits costs of Rs. 25,000/- with the Delhi State Legal Services Authority, the conviction and Order on sentence dated 25.02.2023 passed by the learned Metropolitan



Magistrate (NI Act)-03, Rouse Avenue Court Complex, New Delhi District, New Delhi in CC No. 15622/2019, as upheld by the learned Additional Sessions Judge-05, New Delhi District, Patiala House Courts, New Delhi in Criminal Appeal No. 68/2023 vide order dated 20.02.2024, is set aside and the offence under Section 138 of the Negotiable Instruments Act, 1881 committed by the petitioner is compounded. The petitioner be released from the jail.

3. A copy of this order shall also be sent to the Jail Superintendent and the counsel for the petitioner.

4. It is further clarified that the above order is being passed in the peculiar facts and circumstances of the present case and shall not be treated as a precedent.

5. The petition and pending applications are accordingly disposed of.

6. *Dasti*, under the signatures of the Court Master.

NAVIN CHAWLA, J

MARCH 19, 2024/rv/am

Click here to check corrigendum, if any