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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.REV.P. 383/2019, CRL.M.(BAIL) 606/2019, CRL.M.A. 6869/2019, CRL.M.A. 41651/2019, CRL.M.A. 14300/2020 & CRL.M.A. 2691/2023
SURINDER MOHAN SINGHPetitioner
Through:
versus
STATE & ANR.Respondent
Through: Ms. Meenakshi Dahiya, APP for State.
Mr. Rahul Sharma, Advocate for
respondent no.2.

CORAM:
HON'BLE MR. JUSTICE ANISH DAYAL
ORDER
16.08.2024

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1. It is noted that no one is appearing on behalf of petitioner for many dates.
2. This criminal revision petition has been filed by the petitioner against the impugned judgment in Crl. Appeals no. 39/2019 and 40/2019 passed by ASJ upholding the conviction and order on sentence in proceedings under Section 138 of Negotiable Instruments Act.
3. During the pendency, parties arrived at a settlement on 23rd December, 2019, before the Delhi High Court Mediation and Conciliation Centre, where the petitioner was required to deposit a sum of Rs. 6 lacs which he did deposit *vide* DD no. 34832 drawn on Allahabad Bank, Mayapuri, Delhi dated 10th April, 2019 in the name of the Registrar General. Subsequently, release has been sought by the respondent no.2 of the said amount.
4. In the meantime, the petitioner passed away on 02nd February, 2020.



This was recorded by this Court on 14th January, 2021.

5. Subsequently, attempts have been made to contact the legal heirs of the deceased /petitioner, but have been unsuccessful.

6. In any event, the settlement between the parties by agreement dated 23rd December, 2019 is on record arrived at before the Delhi High Court Mediation and Conciliation Centre, in which the parties had agreed that Rs. 6 lacs deposited be released in favour of the complainant, in view of which, the complainant had no objection if the conviction and sentence was set aside by the Court.

7. Counsel appears on behalf of the respondent no.2 states on instructions that they stand by the statement given as part of the mediation.

8. In these circumstances, CRL.M.A. 14300/2020, is therefore allowed and the said amount be released by the Registry of this Court along with accrued interest to respondent no.2. To honour the terms of settlement, the conviction order is, therefore, set aside and the matter will be considered as compounded.

9. The petition is disposed of. Pending applications (if any) are disposed of as infructuous.

10. Order be uploaded on the website of this Court.

ANISH DAYAL, J

AUGUST 16, 2024/RK

Click here to check corrigendum, if any