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

+ CRL.REV.P. 513/2024

SATISH KUMAR

..... Petitioner

Through: Mr. Atin Handuja, Ms. Saloni
Vashisth, Mr. Rohan T., Advs.
versus

STATE OF NCT OF DELHI & ANR.

..... Respondent

Through: Mr. Raj Kumar, APP for State
Mr. Vinod Kumar, Mr. Ashok, Mr.
Raj Kumar and Ms. Sangita Chauhan,
Advs. for R2

**CORAM:
HON'BLE MR. JUSTICE VIKAS MAHAJAN**

ORDER
16.04.2024

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CRL.M.A. /2024 (to be numbered)

1. During the pendency of the present petition the petitioner / accused, as well as, the respondent no. 2 / complainant have arrived at settlement and an application under Section 147 of the Negotiable Instruments Act, 1881 praying for the compounding of the offence under Section 138 of the Negotiable Instruments Act, 1881, has been handed over in Court. The application is taken on record and the Registry is directed to number the same. A settlement agreement dated 16.04.2024 has been annexed with the said application.
2. A perusal of the said settlement reveals that the petitioner has agreed



to pay full and final settlement amount of Rs. 3,80,000/- to the respondent no. 2 / complainant in the following manner:

- (i) Rs. 1,90,000/- at the time of signing of the agreement.
 - (ii) Rs. 1,90,000/- on 18.04.2024 before the Court of learned Metropolitan Magistrate, North District, Rohini where the matter is listed for surrender of the petitioner / accused.
3. The learned counsel for the petitioner submits that the first instalment of Rs. 1,90,000/- has already paid in terms of the settlement agreement, the receipt of which is also acknowledged by the respondent no. 2 / complainant who is present in Court.
4. On a query posed by the Court, the respondent no. 2, who is present in Court states that he has no objection in case offence under Section 138 of the Negotiable Instruments Act, 1881 is compounded.
5. Accordingly, offence under Section 138 Negotiable Instruments Act, 1881 on the basis of which the complaint was instituted by the respondent no. 2 is compounded in terms of Section 147 of the Negotiable Instruments Act, 1881 and the petitioner / accused is acquitted of the offence under Section 138 NI Act, 1881.
6. The application stands disposed of.

CRL.REV.P. 513/2024, CRL.M.(BAIL) 628/2024 & CRL.M.A. 11509/2024

7. The present petition has been filed against the impugned order dated 02.04.2024 passed by the learned Additional Sessions Judge-04 whereby the appeal preferred by the present petitioner against the impugned judgment of the learned Metropolitan Magistrate convicting the petitioner of an offence under Section 138 NI Act, was dismissed.



8. In view of the order passed in CRL.M.A. _____/2024 (to be numbered), petition alongwith all pending applications, are rendered infructuous and the same are disposed of as such.

VIKAS MAHAJAN, J

APRIL 16, 2024
N.S. ASWAL