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

+ **CRL.M.C. 3687/2024**

PARDEEP KAUR & ANR.

..... Petitioners

Through: Mr Yashvardhan Singh Soan,
Advocate along with petitioners in
person.

versus

STATE GOVT OF NCT OF DELHI AND ANR Respondents

Through: Mr Raj Kumar, APP for the State.
Mr Neeraj Saini, Advocate for R-2
along with R-2 in person.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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08.05.2024

CRL.M.A. 14144/2024 & CRL.M.A. 14243/2024

1. Allowed, subject to all just exceptions.

CRL.M.C. 3687/2024 & CRL.M.A. 14143/2024

2. The present petition arises out of a complaint filed by the respondent no.2 under Section 138 NI Act.

3. The learned Trial Court convicted the present petitioners for the said offence and sentenced them to simple imprisonment for a period of one year and further directed to pay compensation of Rs.6 lakhs to the respondent no.2, in default thereof to undergo further imprisonment for a period of three months.

4. The said judgment of conviction and order on sentence was challenged by the present petitioner by preferring an appeal before the court of learned Principal District & Sessions Judge South-West, Dwarka Courts, New Delhi. The appeal also came to be dismissed *vide* impugned judgment dated 10.04.2023.



5. Against the judgment-in-appeal, the present petition has been filed by the petitioners.
6. The learned counsel for the parties submit that before filing of the present petition, the parties had arrived at a settlement, terms whereof were reduced in writing in the form of Memorandum of Understanding dated 11.03.2024, a copy of which is annexed as Annexure P/2 to the present petition.
7. In terms of the said settlement, it has been agreed between the parties that the petitioners shall pay full and final settlement amount of Rs.17 lakhs to the respondent no.2.
8. Learned counsel for the petitioners submits that the entire full and final settlement amount has already been paid to the respondent no.2. The respondent no.2, who is present in Court, affirms the factum of settlement and acknowledges having received the entire settlement amount of Rs.17 lakhs. He further submits that he has no objection in case the offence is compounded.
9. In view of the settlement arrived at between the parties, the offence under Section 138 of the NI Act is compounded in terms of Section 147 of the NI Act and the impugned order dated 10.04.2023 is set aside. Consequently, the petitioners are acquitted of the offence under Section 138 of the NI Act.
10. The petition stands disposed of.

VIKAS MAHAJAN, J

MAY 8, 2024/MK