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

+ CRL.M.C. 4514/2022 & CRL.M.A. 18354/2022

SAMEER VASUDEVA

..... Petitioner

Through: Mr.Sandeep Kumar, Mr.Shiven
Khurana, Mr.Manjit Singh,
Ms.Arshia Dhingra, Advs.

versus

KAJAL SEJWAL

..... Respondent

Through: Mr.Bijender Singh, Adv.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

30.05.2024

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1. This petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 (in short, 'Cr.P.C.') challenging the order dated 13.07.2022 passed by the learned Metropolitan Magistrate (NI Act) Digital Court-04 (South), Saket Court, New Delhi (hereinafter referred to as the 'Trial Court') in Complaint Case, being CC No.1506/2021, titled *Kajal Sejwal v. Sameer Vasudeva*, whereby the application of the petitioner/accused seeking compounding of the offence under Section 138 of the Negotiable Instruments Act, 1881 (in short, 'NI Act') has been dismissed by the learned Trial Court on the premise that it was the contention of the petitioner/accused that he had paid Rs.40,000/- in cash to the Complainant/respondent and was ready and willing to pay a further sum of Rs.1,10,000/-, as the remaining amount of the cheque to the complainant. The learned Trial Court had held that since the petitioner/accused is not ready to pay the entire



cheque amount, the application seeking compounding of the offence could not be accepted.

2. The present petition has been filed by the petitioner/accused alleging that he had, in fact, offered to pay the entire cheque amount to the respondent/complainant, and that the order of the learned Trial Court was passed on the misconception that the petitioner/accused was only willing to pay an amount of Rs.1,10,000/-.

3. Based on the said statement, this Court, vide its order dated 13.09.2022, had directed the petitioner/accused herein to deposit a sum of Rs.1,50,000/- with the learned Registrar General of this Court, within a period of one week from the date of the said order, and subject to the said deposit, had stayed further proceedings in the said complaint case.

4. The parties have now entered into a settlement, whereunder, the petitioner/accused agrees to the release of Rs.1,50,000/- lying deposited with the Registry of this Court in the form of Fixed Deposit Receipt, along with interest accrued thereon, in favour of the respondent/complainant. The petitioner/accused shall further pay a costs of Rs. 35,000/- to the respondent/complainant within a week from today.

5. The learned counsel for the respondent/complainant shall supply the bank details of the respondent to the learned counsel for the petitioner, where such transfer of costs needs to be made.

6. On the basis of the above settlement, and subject to its compliance, the Complaint Case, being CC No.1506/2021, titled ***Kajal Sejwal v. Sameer Vasudeva***, stands quashed.



7. The petition and the pending application are disposed of in the above terms.

NAVIN CHAWLA, J

MAY 30, 2024/Arya/SJ

Click here to check corrigendum, if any