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

+ **CRL.REV.P. 974/2019 & CRL.M.A. 253/2024**

UMAR MOHD. KHAN

..... Petitioner

Through: Mr. Kunwar Arish Ali, Mr. Zubair Ali, Mr. Yamin and Mr. M. Raja, Advs.

versus

MOHD. MUBEEN & ANR

..... Respondents

Through: Mr. Raghvinder Varma, APP for State/R-2.

Mr. Mohd. Mubeen, R-1 in person.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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04.01.2024

1. The present criminal revision arises out of the complaint filed by the respondent under Section 138 of NI Act.
2. In the said complaint, the petitioner/accused was convicted for the offence under Section 138 of NI Act *vide* order dated 20.05.2019 and was sentenced to undergo simple imprisonment for a period of one year and to pay a fine of Rs. 3.08 lacs as compensation to the complainant/respondent within 30 days *vide* order dated 22.05.2019.
3. The petitioner challenged the said judgment of conviction and order of sentence, by preferring an appeal, which also came to be dismissed by impugned order dated 16.08.2019 passed by the Court of learned Additional Sessions Judge-02, Karkardooma Courts, Delhi.
4. The present criminal revision has been filed by the petitioner challenging the said order dated 16.08.2019.
5. During the pendency of the present petition, the parties were referred



to the Delhi Mediation Centre, Karkardooma Courts, Delhi where a comprehensive settlement was arrived at, the terms whereof were reduced into writing in the form of Settlement dated 23.12.2013, a copy of which has been placed on record along with an application filed by the petitioner under Section 147 of the NI Act.

6. Apart from the above-mentioned criminal complaint filed by the respondent/complainant under Section 138 of NI Act, there are more cases which came to be settled by way of aforesaid settlement.

7. In terms of the said comprehensive settlement, the petitioner agreed to pay a total sum of Rs. 22.50 lacs to the respondent towards full and final settlement of all the disputes related to the cases mentioned therein. The payment has been agreed to be made as under:-

S. N o.	Date (on or before)	Amount (in Rupees)	In favour of	At the time of withdrawal/disposal of cases
1.	03.01.2024	2,00,000/-	Mohd. Mubeen	Crl. Revision No. 974/19 pending in Hon'ble High Court
2.	06.04.2024	6,00,000/-	Mohd. Mukeem	Matters No. 2 to 6
3.	15.07.2024	5,00,000/-	Mohd. Mukeem	Matter No.7 (1 st installment)
4.	15.10.2024	5,00,000/-	Mohd. Nadeem	Matter No.1
5.	15.12.2024	4,50,000/-	Mohd. Mukeem	Matter No. 7 (II installment)

8. The petitioner has made payment of Rs. 2 lacs to the respondent no.2. Accordingly, the present application has been filed under Section 147 of NI Act stating that the agreed amount of Rs. 2 lacs has been paid by the petitioner to the respondent no.1.

9. The respondent no.1, who is present in Court, has been identified by



the learned counsel for the petitioner. He (respondent no.1) acknowledges having received an amount of Rs. 2 lacs and states that he has no objection in case the offence is compounded in terms of the aforesaid settlement.

10. In view of the settlement arrived at between the parties and the respondent no.1 having received the settlement amount of Rs. 2 lacs, in terms thereof, the offence under Section 138 of NI Act is compounded and the order of conviction dated 20.05.2019 under Section 138 of NI Act and the order of sentence dated 22.05.2019, are set aside and resultantly, the petitioner is acquitted of an offence punishable under Section 138 of NI Act.

11. The petition stands disposed of.

12. The next date of hearing i.e., 28.02.2024, stands cancelled.

13. Copy of the order be forwarded to the concerned Jail Superintendent for necessary compliance.

14. Order dasti under the Signatures of the Court Master.

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

VIKAS MAHAJAN, J

JANUARY 4, 2024/dss