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

+ **CRL.REV.P. 1046/2024 & CRL.M.(BAIL) 1411/2024**

DINESH

.....Petitioner

Through: Mr. Yogesh Chhabra, Advocate with
petitioner in person.

versus

RAJENDER KUMAR

.....Respondent

Through: Mr. Girish Gaur, Advocate.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

% **29.08.2024**

1. By way of the present revision petition, the petitioner seeks to assail the judgment dated 12.08.2024 passed by the learned ASJ, whereby the petitioner's conviction and sentence under Section 138 N.I. Act was upheld.
2. Briefly, the respondent has preferred the proceedings with respect to the subject cheque for a sum of Rs. 2 lacs. After the conclusion of trial, the petitioner was convicted and sentenced to pay compensation to the tune of double the cheque amount i.e., Rs. 4 lacs, in default whereof, further simple imprisonment for a period of three months.
3. The petitioner claims that he has paid a sum of Rs. 80,000/- during the pendency of the appeal and intends to pay the entire fine amount.
4. Mr. Girish Gaur, Advocate entered appearance on behalf of the respondent and submits that the respondent has no objection if the offence is compounded. He further submits that the parties have reached a settlement under which the petitioner has agreed to further pay a sum of Rs. 35,000/- to the respondent.
5. Mr. Chhabra, learned counsel for the petitioner, on instruction of the petitioner, who is present in Court, states that the sum of Rs. 3,20,000/- vide



DD No. 278506, dated 20.08.2024, drawn at State Bank of India, Karol Bagh, New Delhi Branch, will be handed over to the respondent during the course of the day. Further, a sum of Rs. 35,000/- will also be handed over to the respondent within a period of four weeks.

6. The statement made on behalf of the petitioner is accepted and is taken on record and he is made bound by the same.

7. Learned counsel for the respondent submits that he has no objection if the offence is compounded.

8. In terms of Damodar S. Prabhu v. Sayed Babalal H., reported as **(2010) 5 SCC 663**, the parties have reached a settlement at the stage of pendency of revision petition.

9. Considering that the petitioner has paid over and above the fine amount, the offence stands compounded on petitioner paying cost of Rs. 5,000/- to be deposited with the Delhi State Legal Services Authority (A/c No.: 18580110053263, Bank: UCO BANK, Branch: Rouse Avenue, IFSC: UCBA0003364) within a period of four weeks from today. The amount so deposited shall be utilized by the Delhi State Legal Services Authority for providing counselling/psychological support to POCSO victims requiring such assistance. Consequently, the petitioner is acquitted of the offence.

10. With the above directions, the petition is disposed of alongwith pending application.

11. Let a copy of this order be communicated to the Member Secretary, Delhi State Legal Services Authority for information.

MANOJ KUMAR OHRI, J

AUGUST 29, 2024

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