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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 1325/2025&CRL.M.A. 5869/2025**
ARUN KUMAR SURENDRA NATH TULIPetitioner
Through: Mr. Kartik Vashisht, Mr. Ajay
Kumar, Advs.

versus

STATE OF NCT OF DELHI & ANR.Respondent
Through: Mr. Sunil Kumar Gautam, APP

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

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24.02.2025

CRL.M.A. 5868/2025

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

CRL.M.C. 1325/2025

1. This is a petition challenging the judgment dated 18.09.2024 and the order of sentence dated 18.01.2025 in CC No. 6469/2022 passed by the learned JMFC (NI Act) Digital Court - 01, South District, Saket Courts, Delhi, in the case titled as ***“Kurma Moses v. Arun Kumar Surendra Nath Tuli”***.
2. *Vide* the impugned judgement, the petitioner was convicted of offence under Section 138 of the Negotiable Instruments Act, 1881 (*“NI Act”*) and *vide* the impugned order of sentence, the petitioner was sentenced with a simple imprisonment for a period of 3 months and a fine of Rs. 5,00,000/-.
3. It is stated that the parties have arrived at a settlement *vide* the Memorandum of Understanding (*“MoU”*) dated 10.02.2025, wherein



the petitioner had to pay a total sum of Rs. 5,00,000/- to respondent No.2 and out of which Rs. 4,00,000/- have already been paid through the demand draft bearing No. 500562 and the remaining amount of Rs. 1,00,000/- will be paid within a period of 15 working days from today.

4. The petitioner and respondent No.2 are present through video conferencing mode and are identified by Mr. Kartik Vashisht and Mr. Ajay Kumar, learned counsels appearing on behalf of the petitioner.
5. The statement of the petitioner regarding the payment of the balance amount of Rs. 1,00,000/- to respondent No. 2 is taken on record and he shall be bound by the same.
6. As per Section 147 of NI Act, every offence punishable under the NI Act is of a compoundable nature and since the parties have settled their dispute in the present case, I am of the view that the settlement is legal and is in accordance with law.
7. I am convinced that both the parties have entered into the aforesaid settlement out of their own free will, volition and without any threat, force, undue influence or coercion.
8. Since the parties have arrived at a settlement and no disputes are pending, I am of the view that quashing such proceedings on account of compromise would bring about peace and would secure ends of justice. The Court does not see any fruitful purpose if criminal proceedings are permitted to be prosecuted any further. It is a fit case for quashing. In this view of the matter, there is no reason to continue the proceedings.
9. For the said reasons, the judgment dated 18.09.2024 and the order of



sentence dated 18.01.2025 in CC No. 6469/2022 passed by the learned JMFC (NI Act) Digital Court - 01, South District, Saket Courts, Delhi, as well as the criminal complaint titled as “***Kurma Moses v. Arun Kumar Surendra Nath Tuli***” are hereby quashed, subject to the petitioner making the payment of the balance amount of Rs. 1,00,000/- to respondent No.2.

10. In case of default, respondent No. 2 is at liberty to file an application.
11. The petition is allowed and disposed of accordingly.

JASMEET SINGH, J

FEBRUARY 24, 2025/sp

Click here to check corrigendum, if any