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

+ CRL.M.C. 1706/2025 & CRL.M.A. 7676/2025

RAVINDRA KUMAR KUNDU

.....Petitioner

Through:

Mr. Mohit Mathur Senior Advocate with
Mr. Sidharth Chopra, Mr. Navneet
Thakran, Mr. Hriday Gandhi & Mr.
Vignesh

versus

STATE NCT OF DELHI AND ANR

.....Respondents

Through:

Mr. Shoaib Haider, APP for the State.
Mr. Darshan Paliwal and Mr. Vishal
Nagar, Advocates for R-2 along with R-2
in person.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

18.03.2025

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1. Petition under Section 528 BNSS has been filed for quashing of the Orders dated 16.07.2024, 16.10.2024 and 13.11.2024 of learned ASJ, New Delhi in Crl.Rev.No.600/2023 titled as 'Pushpender Kumar vs. State of NCT of Delhi & Ors" whereby the learned ASJ has summoned the Managing Director of Cholamandalam Investment & Finance Co. Ltd (Complainant) in the Complaint under Section 138 N.I.Act to show cause as to why the proceedings under Sections 182 and 209 IPC be not initiated against them.

2. It is submitted that the Complainant Petitioner had filed a Complaint under Section 138 N.I.Act against the Respondent in respect of cheque in the sum of Rs.8,69,941/- in which the Respondent was summoned. However, the Order of Summoning was challenged before the learned ASJ who allowed the Revision and quashed the Summoning Order whereby implying that the Complaint under Section 138 N.I.Act also stands disposed of. While quashing the Summoning Order, learned ASJ directed issue of Show Cause Notice dated 16.07.2024 by same Order.



3. Aggrieved by the said Order, Petitioner has preferred the present Revision.

4. The Respondent is present in person along with counsel. After some negotiations, the Respondent have arrived at a Settlement with Sh. Charanpreet, authorised representative of Cholamandalam Investment & Finance Co. Ltd, which is as follows:-

- a) That the Petitioner/Complainant shall not pursue any legal remedy in respect of disputed cheque No. 246076 in the sum of Rs.8,69,941/-. Also, the Complaint already stands quashed by the Order of learned ASJ dated 16.10.2024. However, if the same is pending, the Petitioner undertakes to withdraw the same within 15 days;
- b) That the balance amount due under the Loan Agreement dated 31.01.2018 also stands settled and the Petitioner undertakes that no further claim of any amount allegedly due under the Loan Agreement, shall be claimed from the Respondent;
- c) The Respondent also agrees to withdraw his Complaint under Section 200 Cr.P.C against the Petitioner which is pending in the Court of the concerned Magistrate, District Gautam Budh Nagar within 15 days and that he shall not pursue any further remedy in respect of this Loan Agreement;
- d) It is further agreed that there is no objection to dropping of the present proceedings for which Show Cause Notice has been issued by the learned ASJ.

5. Both the parties submit that they shall remain bound by the terms of the Settlement which has been arrived voluntarily, without any pressure and coercion.

6. In view of the Settlement *inter-se* the parties all the proceedings initiated by the learned ASJ *vide* Order dated 16.07.2024 and all other subsequent proceedings, hereby stands quashed.

7. The Petition is accordingly disposed of.



NEENA BANSAL KRISHNA, J

MARCH 18, 2025

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