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

+ **CRL.REV.P. 659/2024 & CRL.M.(BAIL) 846/ 2024**

SHAKEEL AHMED

.....Petitioner

Through: Mr. Bhanu Pratap Singh, Advocate

versus

STATE AND ANR.

.....Respondents

Through: Mr. Manoj Pant, APP for the State

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

22.09.2025

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1. By way of the present petition, the petitioner is seeking setting aside of the order dated 03.04.2024, passed by the learned Additional Sessions Judge, affirming the Judgment dated 20.02.2020 and order on sentence dated 13.03.2020 passed by the learned Metropolitan Magistrate convicting the petitioner for offence under Section 138 of the Negotiable Instrument Act, 1881 (hereafter 'NI Act') and sentencing him to undergo six months for simple imprisonment along with a direction to pay Rs.14,10,000/- to the complainant and in default thereof the petitioner was directed to undergo further imprisonment for six months.

2. The petitioner and respondent no. 2 have appeared before this Court, and have been identified by their counsels.

3. It is stated that both the parties have amicably settled the present matter and that the respondent no.2 has received the entire amount.

4. On a query made by this Court, respondent no.2 categorically stated that he has entered into compromise out of his own free will and without any pressure, coercion or threat. Respondent no. 2 further states that he has no



objection if the proceedings i.e. C.C. No. 624508/2016 are quashed.

5. Though the present revision petition was filed by the petitioner assailing his conviction under Section 138 of NI Act, the matter now stands settled between the parties. As held by Hon'ble Supreme Court in catena of judgments, offence under Section 138 of NI Act can be settled and compounded at any stage under Section 147 of NI Act, and when a person is allowed to compound the offence, his conviction can be set aside [See ***Damodar S. Prabhu v. Sayed Babalal H. (2010) 5 SCC 663***; ***K.M. Ibrahim v. K.P. Mohammed & Ors (2010) 1 SCC 798***; ***Vinay Devanna Nayak v. Ryot Sewa Sahakari Bank Ltd. (2008) 2 SCC 305***]. Since the matter has been settled between the parties and petitioner has cleared all his dues towards the respondent, there is no legal impediment in allowing the present petition.

6. Considering the overall facts and circumstances of the case and the fact that the respondent no. 2 has received the entire payment as agreed between them and has no objection, if the impugned judgment is set aside; accordingly, order dated 03.04.2024, passed by the learned Additional Sessions Judge, affirming the Judgment dated 20.02.2020 and order on sentence dated 13.03.2020, passed by the learned Metropolitan Magistrate in CC No. 624508/2016 are set aside.

7. In view of the above, the present petition stands disposed of.

8. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

SEPTEMBER 22, 2025/zp