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

+ **CRL.REV.P.(NI) 123/2025**

KIRAN

.....Petitioner

Through: Ms. Poonam Rajesh, Advocate.
versus

M/S PARAS TRADERS

.....Respondent

Through: Mr. Mayank Mohan, Advocate.

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

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17.07.2025

CRL.MA. 20364/2025 in CRL.REV.P.(NI) 123/2025

1. By way of the present revision petition, the petitioner has assailed his conviction in case arising out of Complaint Case No. 22361/2016, registered for offence under Section 138 of Negotiable Instruments Act, 1881 (hereafter 'NI Act'). The petitioner herein was convicted and sentenced by the learned Trial Court and the said judgments/orders were upheld by the learned Appellate Court in Criminal Appeal No. 59/2023.
2. The parties are present before this Court in person along with their counsel. The learned counsel for both the parties state that the matter has amicably been settled between both the parties and they are seeking quashing of the proceedings. The Settlement Agreement dated 10.06.2025 is on record.
3. Both the parties who are present before this Court state that they have amicably settled the matter *vide* Settlement Agreement dated 10.06.2025.
4. Both the parties state that they will remain bound by the terms and



conditions stipulated in the settlement.

5. In view of the above statements, they are allowed to compound the offence at this stage.

6. 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 NI Act can be settled and compounded at any stage under Section 147 of the 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.

7. Therefore, the impugned judgments of conviction and orders on sentence passed by the learned Appellate Court in CRL. APPEAL NO. 59/2023 and by the learned Trial Court in Complaint Case No. 22361/2016 are set aside.

8. It is clarified that in case the petitioner is in judicial custody, he be released, if not wanted in any other case.

9. Accordingly, the present petition stands disposed of in above terms.

10. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

JULY 17, 2025/vc