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

+ **CRL.L.P. 425/2022**

M/S WINSOME BREWERIES LTDPetitioner

Through: Mr. Anant Guatam, Adv.

versus

M/S BHORUKA POWER CORPORATION LTD & ORS.

.....Respondents

Through: Mr. Sudhir Nandrajog, Senior
Advocate with Mr. Krishanu Barua,
Adv.

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

06.02.2025

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1. As there was holiday on 05.02.2025, the matters of the said date are taken up for hearing today i.e. 06.02.2025.
2. This is a petition seeking leave to appeal against the judgment dated 01.07.2022 passed by learned MM (N.I. Act), South-East, Saket in Complaint Case No. 42998/19, wherein the learned MM acquitted the respondents for the offence punishable under Section 138 of N.I. Act.
3. Admittedly, the cheque amount has already been paid by the respondents to the complainant.
4. Mr. Gautam, learned counsel for the petitioner states that the impugned judgment is bad in law as the complaint could not have been closed without the consent of the complainant which is missing here.
5. However, after some arguments in the Court, the parties have arrived



at a settlement. The respondents have agreed to pay another sum of Rs. 6 lakhs to the petitioner within two weeks from today, which is acceptable to the petitioner. The statement of the counsel for the respondents is taken on record and the respondents are bound by the same.

6. The statement regarding accepting Rs.6 lakhs in full and final settlement made by the petitioner's counsel Mr. Gautam, on instructions of Mr. Shantanu Bagrodia (present in court and identified by the counsel) is also taken on record and the petitioner is bound by the same.

7. With these directions, the leave to appeal is disposed of, and consequentially, the appeal has become infructuous.

8. In case, the amount of Rs. 6 lakhs is not paid, the petitioner shall be entitled to revive the present petition.

9. The petition is disposed of in the aforesaid terms.

JASMEET SINGH, J

FEBRUARY 6, 2025/pratibha

Click here to check corrigendum, if any