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

+ CRL.REV.P. 838/2024 & CRL.M.A. 19334/2024

HUKUM CHAND

.....Petitioner

Through: Mr. Nitesh Arora, Advocate

versus

STATE & ANR.

.....Respondents

Through: Mr. Naresh Kumar Chahar, APP for
the State with Ms. Puja Mann and Mr.
Vipin Kumar, Advocates.
Mr. Kuldeep Mansukhani and Mr.
Harjeet Singh, Advocates for R-2.

(38)

+ CRL.REV.P. 839/2024 & CRL.M.A. 19336/2024

HUKUM CHAND

.....Petitioner

Through: Mr. Nitesh Arora, Advocate

versus

STATE & ANR.

.....Respondents

Through: Mr. Naresh Kumar Chahar, APP for
the State with Ms. Puja Mann and Mr.
Vipin Kumar, Advocates.
Mr. Kuldeep Mansukhani and Mr.
Harjeet Singh, Advocates for R-2.

(39)

+ CRL.REV.P. 840/2024 & CRL.M.A. 19421/2024

HUKUM CHAND

.....Petitioner

Through: Mr. Nitesh Arora, Advocate

versus

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STATE & ANR.

.....Respondents

Through: Mr. Naresh Kumar Chahar, APP for
the State with Ms. Puja Mann and Mr.
Vipin Kumar, Advocates.
Mr. Kuldeep Mansukhani and Mr.
Harjeet Singh, Advocates for R-2.

(40)

+ CRL.REV.P. 845/2024 & CRL.M.A. 19422/2024

HUKUM CHAND

.....Petitioner

Through: Mr. Nitesh Arora, Advocate

versus

STATE & ANR.

.....Respondents

Through: Mr. Naresh Kumar Chahar, APP for
the State with Ms. Puja Mann and Mr.
Vipin Kumar, Advocates.
Mr. Kuldeep Mansukhani and Mr.
Harjeet Singh, Advocates for R-2.

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

22.05.2025

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1. The petitioner Hukum Chand has challenged his conviction in four complaint cases filed against him, by the respondent no. 2, for offence under Section 138 of the Negotiable Instruments Act, 1881 (hereafter 'NI Act').
2. Brief facts of the case are that the respondent no. 2 had advanced a sum of Rs.6,00,000/- to the petitioner for securing a long lease in one property located in Karol Bagh, New Delhi and the documents in respect of the transaction were executed before the concerned Sub-Registrar. However, the petitioner was unable to comply with the stipulation in the lease deed

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and had returned the amount by issuing nine cheques to the respondent no. 2. These cheques, when presented in the bank, were returned unpaid. Accordingly, the respondent no. 2 had filed four cases bearing CC Nos. 8678/2017, 8679/2017, 8680/2017 and 8681/2017.

3. The petitioner herein was convicted by the learned Trial Court *vide* judgments dated 01.12.2022 in all the four cases. The petitioner had then preferred appeals (CA Nos. 35/2023, 36/2023, 37/2023 and 38/2023) against his conviction before the learned Sessions Court, which also were dismissed *vide* impugned judgments dated 27.05.2024. Aggrieved by the same, the petitioner had preferred these revision petitions.

4. However, it is stated that during the pendency of the present petition, both the parties have arrived at an amicable settlement, voluntarily. A copy of the Memorandum of Understanding (MoU) has been placed on record. The parties were able to reach a compromise and they state that they will remain bound by the said MoU, which has been executed between themselves.

5. On a query made by this Court, respondent no. 2, who has been identified by his counsel, has categorically stated that he has agreed to compromise out of his own free will and without any pressure, coercion or threat. Further, it is also stated by respondent no. 2 that the entire dispute has been amicably settled/compromised between the parties and the respondent has received the entire amount in terms of the MoU and therefore, respondent no. 2 has no objection if the said case is compounded.

6. In the case at hand, the parties have amicably resolved their differences on their own free will, and without any coercion, and thus, no useful purpose will be fulfilled by continuing the proceedings, rather the

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same would create further acrimony between them. It is also a settled law that offence under Section 138 of the NI Act can be settled and compounded at any stage and when a person is allowed to compound the offence, his conviction can be set aside as per judgment passed in ***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 respondent, there is no legal impediment in allowing the present petition.

7. Accordingly, impugned judgments dated 27.05.2024 passed by the learned ASJ-04, Central, Tis Hazari Courts, Delhi and judgments dated 01.12.2022 passed by the learned Metropolitan Magistrate-05 (NI Act), Central, Tis Hazari Court, Delhi are set aside.

8. The present petitions along with pending applications, if any, stand disposed of.

9. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

MAY 22, 2025/zp

[Click here to check corrigendum, if any](#)