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

+ CRL.M.C. 7269/2025 & CRL.M.A. 30493-30496/2025

ARVIND KUMAR

.....Petitioner

Through: Mr. Rajinder Singh and Mr. Arjun
Sharma, Advocates

versus

STATE NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Shoaib Haider, APP for the State
Ms. Yamini Sharma, Advocate for
Complainant with Complainant in
person

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

% **13.10.2025**

1. Petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 has been filed for setting aside the Judgment and Order dated 01.02.2025 in CA No. 1980/2024 whereby the learned ASJ has confirmed the conviction and sentence of the Petitioner under Section 138 NI Act.
2. It is submitted that the parties have now amicably settled all their disputes and entered into an MOU dated 19.08.2025 and the present Appeal be decided in terms of MOU.
3. The Respondent No. 2 has appeared through VC alongwith the Counsel and has endorsed the terms of the Settlement and has stated that he has no objection to the disposal of the Appeal in terms of MOU.
4. It is specifically pointed out that as per the terms of Clause 3 of the MOU, the parties had stated that the withdrawal would be effected after the



all 16 installments are paid. However, the Complainant herein submits that he has no objection to the disposal of the present Appeal and that he shall seek execution of the MOU in terms stated therein in case there is any default in any of the installments.

5. Considering that the matter has been amicably settled in terms of the MOU dated 19.08.2025, the terms of which have been endorsed by the Complainant and has stated voluntarily, without any fear or coercion, the Impugned Judgment and Order dated 01.02.2025, confirming the conviction and sentence of the Petitioner under Section 138 NI Act is hereby set aside. The Appellant is hereby acquitted.

6. The present Petition alongwith pending Applications, is accordingly disposed of with the observation that in case of any default, the Complainant shall be at liberty to seek execution of the MOU.

NEENA BANSAL KRISHNA, J

OCTOBER 13, 2025

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