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

+ CRL.REV.P. 706/2018 & CRL.M.(BAIL) 1300/2018

VIKRAM THAKURPetitioner

Through: Mr. Jatin Teotia and Mr. Vikram
Thakur, Advocates

Versus

ABDUL KHALIQRespondent

Through: Nemo

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

% **O R D E R**

29.03.2019

Petitioner has been sentenced to undergo simple imprisonment for four months and to pay fine of ₹2,31,000/- for the offence under Sections 138/142 of the Negotiable Instruments Act, 1881 vide impugned order of 17th July, 2018.

Petitioner has placed on record copy of mediated settlement of 5th January, 2019 which indicates that the subject matter of this petition stands mutually resolved between the parties. In terms of settlement of 5th January, 2019, petitioner has undertaken to pay ₹2,50,000/- till March, 2019 and another sum of ₹2,50,000/- lacs till September, 2019 and remaining amount of ₹4,00,000/- is to be paid by petitioner to respondent till February, 2020.

Learned counsel for petitioner submits that the impugned conviction and sentence be set aside and this petition be disposed of in terms of the aforesaid mediated settlement of 5th January, 2019 and the

amount of ₹2,31,000/- deposited by petitioner with the Registrar General of this Court be released to respondent alongwith interest accrued thereon.

In the facts and circumstances of this case, the impugned conviction of petitioner is set aside and the sentence is modified in view of mediated settlement of 5th January, 2019 and this petition is accordingly disposed of with direction to the Registrar General of this Court to release the amount of ₹2,31,000/- with interest accrued thereon to respondent forthwith.

Learned counsel for petitioner on instructions undertakes to ensure that the mediated settlement shall be acted upon in letter and spirit. While disposing of this petition and the application, it is made clear that in case petitioner defaults in complying with the undertaking given in mediated settlement of 5th January, 2019, then respondent shall be at liberty to get this petition revived.

Dasti.

**(SUNIL GAUR)
JUDGE**

MARCH 29, 2019

v