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

+ **CRL.REV.P. 485/2023 & CRL.M.(BAIL) 617/2023**

SADASHIV SHINDE Petitioner

Through: Mr. Ravinder Tyagi, Adv.
with petitioner in person

versus

THE STATE (GOVT. OF NCT OF DELHI)

AND ANR. Respondent

Through: Mr. Hitesh Vali, APP for
the State
Respondent No. 2 in
person

+ **CRL.REV.P. 486/2023 & CRL.M.(BAIL) 618/2023**

SADASHIV SHINDE Petitioner

Through: Mr. Ravinder Tyagi, Adv.
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THE STATE (GOVT. OF NCT OF DELHI)

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the State
Respondent No. 2 in
person

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

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O R D E R
31.01.2024

1. The present petitions are filed, *inter alia*, challenging the common judgment dated 20.04.2023 (hereafter 'impugned judgment'), passed by the learned ASJ-03, Central District, Tis Hazari Courts, Delhi in Criminal Appeal Nos. 255/2022 and 254/2022.



2. The learned ASJ, by the impugned judgment, upheld the orders of conviction dated 19.10.2022 and the orders on sentence dated 20.10.2022, passed by the learned MM-01 (NI Act), Digital Courts, Central, Tis Hazari Courts, Delhi, in Complaint Case Nos. 4075/2021 and 4073/2021 respectively, and enhanced the sentence of the petitioner to one year of simple imprisonment in both the complaint cases, increasing the fine to ₹50,02,368/-, payable to the respondent as compensation, and in default of the fine, to further undergo simple imprisonment for a period of one year. The sentence of imprisonment was to run concurrently.

3. By the orders of conviction dated 19.10.2022, the learned MM convicted the petitioner for the offence punishable under Section 138 of the Negotiable Instruments Act, 1881.

4. Subsequently, the learned MM, by the orders on sentence dated 20.10.2022, sentenced the petitioner to undergo simple imprisonment for 3 months and to pay fine of ₹18,80,000/- respectively, payable to the respondent as compensation, and in default of the fine, to further undergo simple imprisonment for a period of one month.

5. The learned counsel for the petitioner submits that the parties have settled their disputes. He submits that Respondent No.2 has already received the settlement amount, and has no objection if the impugned order is set aside.

6. Respondent No.2 is present in person. He agrees that the parties have settled their disputes and that he has received the settlement amount in his bank account. He states that he does not wish to pursue the proceedings emanating out of Complaint Case Nos. 4075/2021 and 4073/2021.

7. In view of the above, the present petitions are allowed and the impugned judgment dated 20.04.2023, the orders of



conviction dated 19.10.2022 as well as the orders on sentence dated 20.10.2022, passed in Complaint Case Nos. 4075/2021 and 4073/2021 respectively, are set aside.

8. A copy of this order be placed in both the petitions.

AMIT MAHAJAN, J

JANUARY 31, 2024

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