

1 CT Cases 542/2016 471161/2016 RAKESH SOOD Vs. MS ROY BROTHERS A
PARTNERSHIP FIRM ORS

2 CT Cases 541/2016 471162/2016 RAKESH SOOD Vs. MS ROY BROTHERS,
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3 CT Cases 910/2016 471380/2016 RAKESH SOOD Vs. MS ROY BROTHERS
ORS

15.12.2020

Proceedings are conducted through VC via Cisco Webex.

Present: Ms. Shreya Singhal, Ld. Counsel for complainant with
complainant
Sh. Keshav Thakur with Sh. Rajesh Singh, Ld. Counsels for accused persons
along with AR.

The Ld. Counsel for complainant submits that out of the total settlement amount, an amount of Rs. 31.85 lakhs is still outstanding, inclusive of costs and penalties, as of today. The Ld. Counsel submits that vide order dated 07.11.2020, the accused persons were directed to pay the full settlement amount along with interest to the complainant on 15.12.2020, however, only a meagre amount of Rs.10,000/- has been paid. The Ld. Counsel further submits that the complainant is a senior citizen of around 74 years of age and there has been repeated delay, on part of accused persons, in making payment. The learned counsel beseeches that if full and final payment is not made by the NDOH, no further time shall be granted to the accused persons to make payments and the settlement shall be executed in accordance with S.431 r.w, S. 421 of Cr.P.C and that an application in this regard has already been moved on behalf of the complainant.

The Ld. Counsels for the accused persons submit that out of the total settlement amount, Rs. 23 lakhs have been paid towards part payment. The Ld. Counsels submit that the outstanding amount of Rs. 31.85 lakhs is not disputed, however, the payment could not be made in time due to the the Covid-19 pandemic and health problem of accused no.3, who had suffered a hemorrhage. The Ld. Counsels further submit that the accused persons will expedite the payment and make a part of payment on or before the NDOH.

Put up for verification of payment of the settlement amount/ arguments on
application u/s S.431 r.w, S. 421 of the Cr.P.C on 16.01.2021.

(SWATI GUPTA)
MM-04/ NI Act, Saket Courts,
South/ New Delhi/15.12.2020