

13.07.2026

Present: Ms Shivani Chauhan, Ld counsel for the appellant
along with appellant
Sh. S.K Singh, Ld Counsel for the respondent

It is submitted by Ld. Counsel for the respondent that till date the entire settlement amount of Rs. 90,000/- has been paid to the respondent by the appellant/convict in terms of the settlement arrived at in the court on 17.04.2026.

An application has also been filed by the appellant/convict for compounding of the offence under Section 138 of the Negotiable Instruments Act, 1881 (*hereinafter said as 'NI Act'*). Ld. Counsel for the appellant/convict submits that in view of the payment of the entire settlement amount of Rs. 90,000/- to the respondent by the appellant/convict in terms of the settlement arrived at in the court on 17.04.2026, the present appeal preferred by the appellant/convict be disposed of as compounded/settled.

Submissions heard. Record perused

Perusal of the record reveals that the present criminal appeal has been preferred by the appellant/convict Ankit Sharma against the judgment of conviction dated 29.08.2025 and order on sentence dated 21.11.2025 passed by the Court of Ld. JMFC-02, NI Act, South-West District, Dwarka Courts, New Delhi, in *CC NI Act No. 29828/2024 titled "Ajay Kumar v. Ankit Sharma"*, whereby the appellant was convicted for the offence punishable under Section 138 of the NI Act and was sentenced to

undergo simple imprisonment for a period of one month and was further directed to pay a fine/compensation of ₹90,000/- to the complainant/respondent.

During the pendency of the present appeal, with the intervention of this Court, the parties entered into a settlement on 17.04.2026, whereby the appellant/convict agreed to pay a total sum of ₹90,000/- to the respondent/complainant towards full and final settlement of the dispute arising out of the cheque in question including the present appeal and the main complaint case.

Today Ld. Counsel for the respondent/complainant at the outset acknowledges that in terms of the settlement arrived at before the Court on 17.04.2026, the entire amount of ₹90,000/- has been received by the respondent/complainant from the appellant/convict. On court query Ld. Counsel for the respondent/complainant submits that the respondent has no objection if the application for compounding filed by the appellant/convict is allowed and the offence is compounded.

Section 147 of the NI Act makes the offence under Section 138 NI Act compoundable. In the present case, the matter has been amicably settled between the parties. The entire settled amount of ₹90,000/- has admittedly been paid by the appellant/convict and received by the respondent to his satisfaction. The respondent has no surviving grievance and has no objection to compounding of the offence.

Therefore, in view of the settlement between the parties, receipt of the entire settled amount by the respondent and the no-objection given on behalf of the respondent, this Court

finds no impediment in permitting compounding of the offence under Section 138 of the NI Act. Accordingly, the application for compounding filed by the appellant/convict is allowed. The offence under Section 138 of the NI Act, for which the appellant was convicted by the Ld. Trial Court, stands compounded. Consequently, the judgment of conviction dated 29.08.2025 and order on sentence dated 21.11.2025 passed by the Ld. Trial Court in CC NI Act No. 29828/2024 titled “Ajay Kumar v. Ankit Sharma”, qua the appellant, are hereby set aside. The appellant Ankit Sharma stands acquitted of the offence punishable under Section 138 of the NI Act.

Bail bonds and surety bonds, furnished by the appellant stand cancelled. Surety stands discharged. Original documents, if any, of the appellant/surety be returned to the rightful claimant against proper acknowledgment and after due verification.

In view of the aforesaid, the present criminal appeal stands disposed of as compounded.

Trial Court Record be sent back forthwith along with a copy of this order.

Appeal file be consigned to Record Room after due compliance.

Copy of this order be given dasti to both sides, as prayed.

(Ravinder Singh - II)
ASJ-05/South-West District,
Dwarka/ Delhi/13.07.2026