

04.07.2026

Present: Sh. Dushyant Kumar, Ld Counsel for the appellant
along with appellant
Shri Rajesh Singh, Ld. Counsel for the respondent

The matter is listed for further payment.

Today a further sum of Rs. 1,00,000/- has been paid by the appellant to Ld. Counsel for the respondent collectively in the present appeal as well as in the connected appeal bearing CA No. 2207/2024. The said amount has been accepted and acknowledged by Ld. Counsel for the respondent. Receiving has been given in the file.

It is further submitted by the appellant that the remaining amount of Rs. 50,000/- has already been paid directly to the respondent through bank/online transfer, collectively in the present appeal as well as in connected appeal bearing CA No. 2207/2024. It is also submitted that the previous cost of Rs. 5,000/- has been paid by the appellant to Ld. Counsel for the respondent collectively in the present appeal as well as in the connected appeal bearing CA No. 2207/2024.

Ld. Counsel for the respondent admits that the respondent has received the entire settlement amount of Rs. 3,20,000/- till date in terms of the mediation settlement dated 13.01.2026, collectively in the present appeal and the connected appeal bearing C.A No. 2207/2024. He further submits that nothing remains due and payable by the appellant and that the

respondent has no objection if the present appeal is disposed of as settled/compounded.

The appellant also submits that he has complied with the terms of the mediation settlement dated 13.01.2026 by making the entire payment of the settled amount to the respondent collectively in the present appeal and in connected appeal bearing *CA No. 2207/2024 titled "Rajinder v. Om Prakash"*. He accordingly prays that the present appeal may be disposed of as settled/compounded.

Heard. Record perused.

The offence punishable under Section 138 of the Negotiable Instruments Act, 1881 is compoundable in view of Section 147 of the N.I. Act. It is further well settled that an offence under Section 138 N.I. Act may be compounded even at the appellate stage, subject to satisfaction of the Court and the terms of settlement arrived at between the parties.

In the present case, the matter was amicably settled between the parties before mediation vide settlement dated 13.01.2026. The respondent, through his counsel, has acknowledged receipt of the entire settlement amount of Rs. 3,20,000/- and Ld Counsel for the respondent has specifically stated that he has no objection to the compounding of the offence and disposal of the present appeal as settled in view of the payment of the settlement amount made by the appellant to the respondent.

In view of the settlement between the parties and complete payment of the settled amount, the offence under Section 138 N.I. Act stands compounded.

Consequently, the present appeal is disposed of as settled/compounded. The conviction and sentence of the appellant for the offence under Section 138 N.I. Act, arising out of the judgment/order challenged in the present appeal, are set aside in view of the compounding of the offence. The appellant is accordingly acquitted of the offence under Section 138 N.I. Act.

Bail bond and surety bond, if any, stand discharged. Original documents of the surety, if any, retained on the Court file, be released against proper acknowledgment after retaining photocopies thereof.

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

Appeal file be consigned to Record Room after due compliance.

Copy of this order be given dasti to the parties, as prayed.

(Ravinder Singh - II)
ASJ-05/South-West District,
Dwarka/ Delhi/04.07.2026