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

% **Date of Decision: 20th April, 2026**

+ CRL.REV.P.(NI) 134/2026 & CRL.M.A. 12054/2026

JAKIR MAILK

.....Petitioner

Through: Mr. Javed Ahmad, Ms. Aakriti Aditya
and Mr. Deepanshu Tyagi, Advocates.

versus

VIVEK MISHRA

.....Respondent

Through: Mr. Jatin Chaunwal, Advocate
(through V.C.).

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

1. Respondent-Mr. Vivek Mishra filed a Complaint Case No.11081/2022 under Section 138 of *Negotiable Instruments Act, 1881* against the revisionist herein. Such complaint was allowed and the revisionist was directed to undergo simple imprisonment for a period of six months and to pay fine equivalent to Rs.4,25,000/-.
2. The cheque amount was Rs.3,50,000/-.
3. The abovesaid conviction and order on sentence was challenged by the revisionist by filing an appeal before the learned Sessions Court and such appeal i.e. Crl.A. 152/2024 was dismissed by the learned Sessions Court on 30.03.2026 and while dismissing the appeal, the order on sentence was also affirmed and the revisionist was directed to surrender before the learned Trial Court on 07.04.2026 to undergo the sentence.
4. The learned counsel for the revisionist submits that the revisionist surrendered before the learned Trial Court on the same day i.e. 07.04.2026



and is in custody since then. He, however, submits that after the appeal was dismissed, both the parties entered into settlement and as per such *Settlement Deed* dated 03.04.2026, the revisionist has agreed to make the entire payment of Rs.4,25,000/- to the complainant i.e. respondent and a sum of Rs.1,60,000/- was paid to him on 03.04.2026 and the balance amount of Rs.2,65,000/- has been paid to him today by way of Demand Draft drawn Punjab National Bank, Yamuna Vihar, Delhi.

5. Mr. Jatin, learned counsel for complainant/respondent has joined the proceedings through *video-conferencing* and identifies the respondent and submits that the matter has been amicably settled.

6. Respondent No.2 also reiterates the terms of settlement as mentioned in *Settlement Deed* dated 03.04.2026 and submits that in view of the abovesaid settlement, he has got back the entire amount of Rs.4,25,000/- and, therefore, he would have no objection if the offence in question is compounded.

7. Learned counsel for the revisionist submits that the revisionist would deposit a sum of Rs.26,250/-, calculated @ 7.5 % of the cheque amount i.e. Rs.3.5 lacs, with the Registry of this Court within three days, in terms of *Sanjabij Tari vs. Kishore S. Borcar: 2025 SCC OnLine SC 2069*.

8. Heard.

9. Keeping in mind the overall facts and the abovesaid *Settlement Deed* and the statement made today by the respondent, the offence stands compounded. Such composition of the offence would have the effect of acquittal and in view of the abovesaid fact, the revisionist is directed to be released from the jail forthwith, if not required in any other case.

10. However, as undertaken above, the abovesaid cost of proceedings i.e. amount of Rs.26,250/- be deposited with the Registry of the Court within one



week from today and in case, the abovesaid amount is not deposited within one week, the matter be placed before this Court for necessary directions.

11. The petition stands disposed of in aforesaid terms.
12. Pending application also stands disposed of.
13. A copy of this order be given *dasti* under the signatures of Court Master and a copy of this order be also sent to superintendent for information and compliance.

(MANOJ JAIN)
JUDGE

APRIL 20, 2026/ss/sa