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

+ **CRL.REV.P. 507/2022**

KANWALJEET KAUR

.....Petitioner

Through: Mr. Naveen Sharma, Advocate.

versus

HEMANT SHARMA

.....Respondent

Through: Mr. RCS Bhadoria, Advocate.

CORAM:

HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

% **15.05.2025**

[Physical Hearing/Hybrid Hearing (as per request)]

CRL.M.(BAIL) 944/2022 (for suspension of sentence)

1. Vide ex-parte order dated 08.08.2022, the predecessor bench suspended the sentence till next date subject to the revisionist paying 20% of the cheque amount to the respondent and the matter was adjourned to 03.11.2022. On 03.11.2022, in the absence of respondent, the predecessor bench adjourned the matter to 13.02.2023 and extended the interim orders till next date in the absence of the respondent. Thereafter, the matter kept getting adjourned before different predecessor benches. In the meanwhile, on 05.04.2024, the counsel for respondent informed that the revisionist is not residing at the address given in the petition. It is thereafter that the revisionist filed an amended memo of parties. Again thereafter, the matter kept getting adjourned. Vide order dated 17.12.2024, the predecessor bench referred the dispute to the Mediation Centre, Delhi High Court and the

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matter was adjourned to 20.03.2025. On 20.03.2025, the predecessor bench was informed that parties had arrived at a settlement agreement dated 19.03.2025 as per which the settlement amount was payable by 12.05.2025, so the matter was adjourned to this date.

2. Today, learned counsel for respondent registered a strong protest, contending that the revisionist has not adhered to even the mediation settlement terms and has not paid a single penny.

3. On the other hand, learned counsel for revisionist appeared through video conferencing and stated that the revisionist is ready to pay Rs.50,000/- to the respondent by today itself and the remaining amount of Rs.2,75,000/- would be paid within one week.

4. This is not acceptable to the respondent present in court, especially because the revisionist has not even appeared personally or through anyone to handover the said amount of Rs.50,000/-. I find substance in the submission of learned counsel for respondent that the revisionist is protracting the proceedings and does not intend to honestly adhere to the settlement terms.

5. Besides that, in view of the law laid down by the Supreme Court in the case of **Damodar S. Prabhu vs. Sayed Babalal**, (2010) 5 SCC 663, the revisionist shall also be required to deposit with DHCLSC costs to the tune of 15% of the cheque amount, which apparently has not been recorded in the settlement.

6. Keeping in mind the above circumstances, including the fervent request of learned counsel for revisionist assuring that the revisionist shall certainly pay Rs.50,000/- by today itself and the balance settlement amount within one week, the interim protection in the form of suspension of

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sentence is extended till next date subject to the revisionist depositing in the bank account (*details mentioned in the mediation settlement*) of the respondent Rs.50,000/- during the course of the day and depositing in the bank account of the respondent the entire balance settlement amount on or before 23.05.2025. It is made clear that if the revisionist does not adhere to this schedule of payment, there shall not be a continuance of the protection granted to her after 23.05.2025.

7. Relist on 21.08.2025.

GIRISH KATHPALIA, J

MAY 15, 2025/ry

[Click here to check corrigendum, if any](#)

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