

Ram Saran vs State Through Sho Ps Narela & Anr.

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Court : Delhi

Decided On : Apr-17-2026

Judge : Hon'Ble Mr. Justice Manoj Jain

Appeal No. : CRL.M.C./7052/2023

Appellant : Ram Saran

Respondent : State Through Sho Ps Narela & Anr.

Advocate for Def. : Mr. Sunil Kumar Gautam, Mr. Amit Nahata

Advocate for Pet/Ap. : Mr. Shashi Shankar, Ms. Guneet Kaur Bhatia, Mr. Arnav Dhama, Mr. Ankur S. Mavi

Judgement :

* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ CRL.M.C. 7052/2023 & CRL.M.A. 11777/2026 & CRL.M.(BAIL) RAM SARANPetitioner Through: Mr. Shashi Shankar, Ms. Guneet Kaur Bhatia, Mr. Arnav Dhama and Mr. Ankur S. Mavi, Advocates

versus

STATE THROUGH SHO PS NARELA & ANR.Respondent Through:
Mr. Sunil Kumar Gautam, APP for State/R-1 Mr. Amit Nahata, Advocate
for R-2 along with R-2 in person

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

% 17.04.2026

1. When the present petition was taken up on 07.04.2026, following facts

were recorded: - 1. Petitioner herein faced trial for committing offence under Section 138 of Negotiable Instruments Act, 1881.

2. The learned Trial Court held him guilty vide judgment dated 24.12.2021

and vide order dated 11.03.2022 sentenced him to simple imprisonment for one year and also burdened him with fine, equivalent to double of the amount of the cheques as compensation to complainant.

3. The cheques were worth of Rs.8 lacs.

4. The abovesaid judgment was assailed by filing an appeal under Section

374 Cr.P.C. and such appeal was dismissed by the learned Court of Sessions on 05.09.2023. While dismissing the appeal, the learned Court of Sessions upheld the abovesaid order on sentence also. CRL.M.C. 7052/2023 1

5. It is in the abovesaid factual backdrop, the present petition has been filed seeking setting aside of the abovesaid orders.

6. Though, ideally speaking, a revision should have been filed before this

Court, fact remains that when the present petition was taken up by this Court on 20.10.2023, it was brought to the notice of learned Predecessor Bench that the petitioner had already deposited a sum of Rs.2 lacs before the Appellate Court and he expressed his inclination to deposit a sum of Rs. 8 lacs with the Registry of this Court.

7. He was, accordingly, directed to deposit such amount and the sentence was directed to be suspended.

8. Learned counsel for the parties are present and the matter was passed

over in order to see whether the matter can be amicably settled or not and, when the matter was taken up at 4:25 PM today, it was apprised that the matter has been amicably settled and a formal application from the side of the respondent No.2, seeking compounding of the offence, would be filed. It is also stated that as per the terms of the settlement, the petitioner would have no objection if the amount of Rs.8 lacs, as deposited before this Court is unconditionally released to the complainant, after deducting cost of the proceedings calculated @ 7.5% of the cheque amount in terms of Sanjabij Tari vs. Kishore S. Borcar: 2025 SCC OnLine SC 2069.

2. Petitioner is present in person with counsel and respondent No. 2 is also present in person with counsel.

3. In terms of aforesaid order, an application seeking permission to

compound the offence has also been filed by respondent No. 2 and he states that he would compound the matter if the amount deposited before this Court i.e. Rs. 8 lacs along with accrued interest, if any, is directed to be released to him after deducting the cost of proceedings calculated @ 7.5 per cent of the cheque amount. He submits that he has already received a sum of Rs. 2 lacs which had been deposited by the petitioner herein when the appeal was pending adjudication with the Sessions

Court. The aforesaid amount of Rs. 2 lacs was also released to him as per the direction given by this Court.

4. Application seeking compounding of the offence is duly supported by CRL.M.C. 7052/2023 2 an affidavit of respondent No. 2 and during course of the proceedings, he reiterated the averments made in the application.

5. Keeping in mind the overall facts of the case and the aforesaid request

and observations as already recorded in the previous order, permission to compound the offence is hereby given and, resultantly, amount of Rs. 8 lacs, which has been deposited by the petitioner before this Court on 17.10.2023 along with accrued interest, after deducting Rs. 60,000/-, be returned unconditionally to respondent No. 2. Aforesaid amount of Rs. 60,000/- be transferred to the account of Delhi High Court Legal Services Committee towards the cost of proceedings.

6. Needless to say, since the matter has been compounded, the composition of the offence would have the effect of acquittal.

7. Petition stands disposed in aforesaid terms.

8. Bonds submitted by the petitioner stand cancelled and the surety stands discharged.

9. Pending applications also stand disposed of in aforesaid terms. MANOJ JAIN, J
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