



2026:DHC:8217



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

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Date of Decision: 22.09.2026

CNR No.DLHC010452202026

+ **CRL.M.C. 7061/2026, CrI.M.A.29487/2026, CrI.M.A.29486/2026**

(41) SAHIBJI TRAVELS AND TOUR PVT LTD & ORS Petitioners

Through: Mr. Anuj Arora and Mr. Dayanand,
Advs.

versus

PEARL INTERNATIONAL TOURS AND TRAVELS PVT LTD

.....Respondent

Through: Mr. Prateek Tiwari and Mr. Sushil
Shukla, Advs.

CNR No.DLHC010452212026

+ **CRL.M.C. 7062/2026, CrI.M.A.29488/2026, CrI.M.A.29489/2026**

(42) SAHIBJI TRAVELS AND TOUR PVT LTD & ORS.....Petitioners

Through: Mr. Anuj Arora and Mr. Dayanand,
Advs.

versus

PEARL INTERNATIONAL TOURS AND TRAVELS PVT LTD

.....Respondent

Through: Mr. Prateek Tiwari and Mr. Sushil
Shukla, Advs..

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

SACHIN DATTA, J. (ORAL)

1. This petition is taken up along with CRL.M.C.7062/2026 which involves the same parties.

2. The petitioner and its Directors seek quashing of Complaint Case No.8034/2019 and 8032/2019 titled as 'Pearl International Tours and Travels Pvt. Ltd. v. Sahibji Travels and Tours Pvt. Ltd', under Section 138 of Negotiable Instruments Act, 1881 (hereinafter referred to as 'NI Act')



pending before learned JMFC-01, Patiala House Courts, Delhi, in view of a settlement agreement dated 17.08.2026 (Annexure P-4) entered into between the parties.

3. It is pointed out that a commercial suit filed by the Complainant [being CS (COMM) 946/2022)] was also disposed of and withdrawn on 21.08.2026 in view of the settlement arrived at between the parties. The copy of the order dated 21.08.2026 passed in the said civil suit reads as under:-

3. CS (COMM.) 946/22 PEARL INTERNATIONAL SERVICES PRIVATE LIMITED Vs. SAHIBJI TRAVELS AND TOURS PRIVATE LIMITED

21.08.2026

Present: Sh. Sushil Shukla, ld. counsel for plaintiff alongwith its AR Sh. Brahm Prakash Bhardwaj.
Sh. Anuj Arora, ld. counsel for defendants (VC).
Sh. Gursahib Singh Sethi, defendant no. 3, in person.

Ld. counsel for the parties submit that matter has been settled between the parties vide settlement agreement dated 17.08.2026. It is further stated that it is agreed between the parties that the defendants shall make a total payment of Rs. 25,00,000/- to the plaintiff and plaintiff will withdraw present suit and connected two complaint cases against the defendants under section 138 N.I.Act, pending before JMFC, Patiala House Court, New Delhi.

In terms of settlement, defendant no. 3 Sh. Gursahib Singh Sethi, who is also AR of the defendant no. 1 and son of defendant no. 2, has handed over a Demand Draft bearing no. 516512 dated 18.08.2026 of Rs. 25 Lakhs in favour of the plaintiff company, drawn on ICICI Bank, Rajouri Garden, New Delhi, to the AR of the plaintiff, in court today. Photocopy of the DD is kept on record. Ld. counsel for the parties submitted that both parties undertake to abide by the terms of settlement.



Ld. counsel for the plaintiff submits that in view of settlement arrived at with the defendants, plaintiff wishes to withdraw the present suit and Court fee may be refunded to the plaintiff.

Statement of AR of the plaintiff and AR of the defendants recorded separately to this effect.

Considering the statements made by AR of the plaintiff and AR of the defendants, present suit is dismissed as withdrawn being settled. Court fees be refunded to the plaintiff.

File be consigned to Record Room after necessary compliance.

(DEEPALI SHARMA)

District Judge (Commercial Court-03)

PHC / New Delhi /21.08.2026

4. It is stated that the petitioners have been convicted in the Complaint Case and that *vide* order dated 14.09.2026, the matter has been fixed for arguments on sentence. The order dated 14.09.2026 reads as under:-

104 Ct Cases 8034/2019
PEARL INTERNATIONAL TOURS AND
TRAVELS PVT. LTD. . Vs. SAHIBJI
TRAVELS AND TOURS PVT. LTD. AND
ORS.

14.09.2026

(Also through VC Proceedings via CISCO Webex)

Long date is given because this court has pendency of over 38000+ cases.

File taken up today as 11.09.2026 was holiday.

Present: Sh. Aman Kumar, ld. counsel for the complainant.
Convict through VC.

Matter is at the stage of arguments on sentence.



An application for withdrawal of the case filed by the complainant on the basis of settlement.

Application is pending as counsel for the complainant submit that there is Supreme Court Judgment which is binding upon the Ld. JMFC/the PO as per which the undersigned has to pronounce the acquittal on the basis of settlement/compounding even when the judgment on of conviction is already been pronounced and there is no need to approach the Appellate Court.

Convict as well as complainant are directed to appear in person on NDOH.
Convict is also directed to bring the surety in case order in sentence is pronounce.

Put up for arguments on sentence/ order on sentence on **21.09.2026**
at **03.00 PM.**

5. Learned counsel for the petitioners refers to the judgment/order dated 11.08.2025 of the Supreme Court in the case titled as ***Gian Chand Garg v. Harpal Singh & Anr.*** [SLP (Criminal) No.8050 of 2025], wherein it has been held that compounding of offence under Section 138 NI Act can taken place at any stage and once the parties have settled, and even after the conviction. The relevant observations of the Supreme Court in the said case, are as under:

“10. Therefore, it is very clear that although dishonour of cheque entails criminal consequence, the legislature by virtue of section 147 of the NI Act has made it compoundable notwithstanding the provisions of the Code of Criminal Procedure, 1973 and the same can be compounded at any stage of the proceedings especially when the parties have themselves arrived at a voluntary compromise.”

6. Issue notice.

7. Learned counsel, as aforesaid, accepts notice on behalf of the respondent.



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8. The respondent affirms the factum of the settlement and receipt of the entire settlement amount.
9. Considering the observations of the Supreme Court in ***Gian Chand Garg*** (supra) and in view of the settlement between the parties, which is confirmed by the respondent, the present petitions are allowed; Complaint Case Nos.8034/2019 and 8032/2019 as also the order of conviction passed therein and all proceedings emanating therefrom, are quashed.
10. Pending applications also stand disposed of.

SACHIN DATTA, J

SEPTEMBER 22, 2026/r