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

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

+ CRL.REV.P.(NI) 59/2026 & CRL.M.A. 5881/2026 & CRL.M.A. 5882/2026

KULDEEP SHARMAPetitioner

Through: Mr. Varun Gupta, Advocate along
with petitioner in person.

versus

LALITA DEVIRespondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

1. Petitioner herein-Mr. Kuldeep Sharma is facing trial in a complaint filed under Section 138 of *Negotiable Instruments Act, 1881* by respondent herein-Ms. Lalita Devi.
2. Such trial resulted in conviction as the petitioner herein was held guilty on 04.03.2024 and, *vide* order dated 16.04.2024, he was sentenced to SI for a period of six months and was also directed to pay a sum of Rs.14,50,000/- as compensation. In default of payment of such compensation, there was also a direction to him to undergo SI for another month.
3. Feeling aggrieved by the abovesaid order of conviction and sentence, he filed an appeal before the learned Court of Sessions and, when such appeal i.e. Criminal Appeal No.1940/2024 was pending adjudication, the parties entered into settlement under the *aegis* of *Mediation Centre, Dwarka Courts*.
4. The matter was amicably settled between the parties, and as per terms



of compromise, the complainant agreed to accept a sum of Rs.9.5 lacs.

5. In view of such settlement, the learned First Appellate Court took up the matter on 10.12.2025. As per settlement terms and the submissions made by both the learned counsels, the settlement amount was stated as Rs.11 lacs, which also included Rs.1.5 lacs which had earlier been deposited by the appellant before the First Appellate Court.

6. Thus, the complainant agreed to settle the matter against total payment of Rs.11 lacs. The appeal was, accordingly, disposed of as compounded but, simultaneously, in view of the specific observations given in *Sanjabij Tari vs. Kishore S Borcar & Anr*, 2025 SCC OnLine 2069 and *Damodar S. Prabhu vs. Sayed Babalal H.*, (2010) 5 SCC 663, learned First Appellate Court *vide* order dated 10.12.2025 directed appellant i.e. petitioner herein, to deposit cost @ 7.5% of cheque amount with concerned *District Legal Services Authority* (DLSA).

7. The petitioner sought waiver of the cost, citing his financial handicap, and moved application. Such application has been dismissed by the learned First Appellate Court on 31.01.2026.

8. Such order is under challenge.

9. However, after hearing arguments for some time, learned counsel for petitioner, on instructions from the petitioner, who is also present in Court, states that he would not press the present petition and would not insist for waiver of the cost, provided three months' period is granted to him to deposit the abovesaid cost with the concerned DLSA.

10. The matter is now, essentially, between the Court and the petitioner.

11. The concerned complainant has already received the settlement amount and has also given her *no objection* to the compromise and, therefore, there is



no requirement of issuing any notice to her with respect to the present petition.

12. Keeping in mind the overall facts and circumstances of the case, the present petition is disposed of with the permission to the petitioner to deposit the abovesaid cost amount with concerned DLSA, within three months from today.

13. A copy of this order be sent to learned First Appellate Court for information.

14. A copy of this order be given *dasti* under the signatures of Court Master.

(MANOJ JAIN)
JUDGE

FEBRUARY 20, 2026/ss/pb