

**DAILY LOK ADALAT****BENCH NO.4**

502

CRR-1230-2022 (O&M)
WITH CRR-1235-2022 (O&M)

RAKESH KUMAR RALLI V/S M/S GENUINE MEDICOS

Present: Mr. Shiv Kumar, Advocate
for the appellant(s).

Mr. Rakesh Kumar Ralli appellant in person.

Mrs. Sangeeta Ralli, appellant in person.

Mr. Prateek Rathee, Advocate
for the respondent(s).

* * * *

This order shall dispose of two revision petitions having been compounded between the parties.

Statement of counsel for the respondent(s)/complainant(s) has separately been recorded which reads as under;

“Counsel for the respondent(s)/complainant(s) on instruction states that in case an amount of Rs. 11 lacs which was deposited in the fixed deposit under the order of the Court be released along with interest, he has no objection if these revision petitions are disposed of having been compounded. Complainant(s) shall have no objection if the conviction and sentence including penalty/compensation imposed is set aside and the petitioners be acquitted of any liability whatsoever was imposed in terms of two separate judgments passed by the trial Court and the appellate Court”

It is apparent from the record that the respondent(s)/complainant(s) filed a complaint under Section 138 of the Negotiable Instruments Act, 1881, (hereinafter referred as Act) on account of dis-honour of a cheque(s) for an amount of Rs. 6,34,960/- in the complaint Case No. 4936-RBT dated 29.11.2016/17.05.2017, in which the petitioner(s) were

convicted and their appeal was also dismissed. Against both the judgments of conviction and sentence, the present CRR No.1230-2022 has been filed.

Similarly, on account of dis-honour of a cheque(s) for an amount of Rs. 8,00,000/- in the complaint Case No. 5148-RBT dated 10.01.2017/17.05.2017, the petitioner(s) were convicted and their appeal was also dismissed. Against both the judgments of conviction and sentence, CRR No.1235-2022 has been filed.

The petitioner(s)-Mr. Rakesh Kumar Ralli and Mrs. Sangeeta Ralli, in CRR No.1230-2022, besides giving amount claimed, were also sentenced to undergo simple imprisonment for a period of 03 months vide order dated 08.02.2019/14.02.2019. In the similar manner, in the second complaint filed by the respondent(s)/complainant(s) in CRR No.1235-2022, vide order dated 08.02.2019/14.02.2019, they were sentenced to undergo simple imprisonment for a period of 01 year.

During the pendency of the proceedings, the Hon'ble High Court, while granting bail to the petitioner(s) directed them to deposit the outstanding amount of compensation and fine amount. In compliance of the orders, the petitioner(s) deposited Rs. 11 lacs in total in both the cases (i.e., Rs. 8,20,000 in CRR No.1235-2022 and Rs. 2,80,000/- in CRR No.1230-2022).

Today, the counsel for the respondent(s)/complainant(s) has stated in his statement that in case, the amount of Rs. 11 lacs which was deposited in the fixed deposit under the order of the Court be released along with interest, he has no objection if

these revision petitions are disposed of having been compounded. The complainant(s) shall have no objection if the conviction and sentence including penalty/compensation imposed is set aside and the petitioner(s) be acquitted of any liability whatsoever was imposed in terms of two separate judgments passed by the trial Court and the appellate Court.

In view of the statement of learned counsel for the respondent(s)/complainant(s) as well as statement of the petitioner(s), these two aforesaid petitions are allowed having been compromised and the conviction and sentence awarded including penalty/compensation imposed against the petitioner(s) namely Rakesh Kumar Ralli and Sangeeta Ralli are set aside and they are acquitted of the charges framed against them. The respondent(s)/complainant(s) is also free to move an appropriate application before the concerned Court to get the amount released which is lying deposited under order of the Court.

The petition(s) stands disposed of accordingly.

A photocopy of this order be placed on the file of connected appeal.

(JASBIR SINGH)
PRESIDENT

(B.C. GUPTA)
MEMBER

08.10.2025
T.R.