

Tilak Raj vs. Chattar Singh & Ors.

Cr.MP No.3850 of 2026 in
Cr. Revision No.486 of 2025

17.09.2026

Present: Applicant in person, with Mr. Gurdev Singh,
Advocate.
Respondent No.1, in person, with Mr. Santosh
Kumar, Advocate.
Mr. Lokender Kutlehria, Additional Advocate
General, for respondent No.2/State.

By way of the present application, filed under
Section 147 of the Negotiable Instruments Act, 1881
(hereinafter referred to as the NI Act), a prayer has been made
by the applicant for compounding the offence alleged to have
been committed by him, under Section 138 of the N.I. Act, and
after dismissal of the revision by this Court, vide a judgment
dated 04.06.2026.

2. It transpires from the record that the learned
Judicial Magistrate First Class, Chachoit at Gohar Camp at
Thunag, District Mandi, H.P., had convicted and sentenced the
applicant-accused, vide order dated 17.01.2025 and sentenced
him to undergo simple imprisonment for a period of three
months and to pay compensation of Rs.3,50,000/-.

3. Being aggrieved by the said judgment, the
applicant-accused preferred an appeal, before the learned
District and Sessions Judge, Mandi, H.P., however, the

judgment of conviction and order of sentence passed by the learned trial Court was upheld by the said Court.

4. Invoking the revisional jurisdiction of this Court, the petitioner has filed a revision petition, which also unfortunately came to be dismissed, vide a judgment dated 04.06.2026 and the applicant-accused had been directed to surrender before the learned trial Court within one month.

5. It is now the contention of the applicant-accused that due to the intervention of the respectable persons of the society, the applicant-accused has amicably settled the dispute with the complainant and executed a compromise deed on 29.07.2026. The copy of the same has been annexed with this application as Annexure A-1, whereby the parties have resolved to settle the matter for a sum of Rs.2,15,000/- as full and final settlement of the claim.

6. It further transpires that in pursuance to the aforesaid compromise, the applicant had paid a sum of Rs.1,10,000/- to the respondent-complainant through UPI and had also agreed that an amount of Rs.1,05,000/-already deposited before the learned trial Court be released in favour of the respondent-complainant.

7. The learned counsel appearing for the respondent submits that an amount of Rs.1,10,000/- has, indeed, been paid to the respondent-complainant. He thus, prays that in

case, the amount of Rs.1,05,000/- lying deposited in the learned trial Court is ordered to be released in favour of the respondent-complainant, the amount agreed, by the parties shall stands fully paid to the respondent/complainant. Both the applicant and respondent are present in the Court today. They have submitted that the compromise deed, bears their signatures and they have agreed to settle the matter. The respondent-complainant has already received a sum of Rs.1,10,000/- and in case, the amount lying deposited before the learned trial Court is ordered to be released in his favour, he would receive the entire amount agreed upon between them.

8. By now, it is clearly settled that the offences punishable under Section 138 of the N.I. Act, can be compounded, even after the conviction is recorded.

9. Keeping in view the specific provisions of Section 147 of the N.I. Act, the Hon'ble Supreme Court while, endorsing this view has categorically held in case titled as **Damodar S. Prabhu vs. Sayed Babalal H. (2010) 5 SCC 663**, a similar view had been taken by the Hon'ble Supreme Court even in a case titled as **K. Subramanian versus R.Rajathi, (2010) 15 Supreme Court Cases 352**.

10. This view has been consistently followed by this Court too. In this behalf, reliance can be placed upon the

judgment rendered by this Court, in **Cr.MP No.1197 of 2017**
in Cr. Revision No.394 of 2015, titled as **Gulab Singh**
versus Vidya Sagar Sharma.

11. Keeping in view the entire facts and law, discussed herein above, it is crystal clear that the offences under Section 138 of the N.I. Act, indeed can be compounded, even after dismissal of the revision petition. As a sequel, the parties are permitted to compound the matter.

12. Consequently, the judgment of conviction and order of sentence recorded by both the learned Courts below are quashed and set-aside. The petitioner is acquitted of the charges. The amount of Rs.1,05,000/- deposited before the learned trial Court, i.e. learned Judicial Magistrate First Class, Chachoit at Gohar Camp at Thunag, District Mandi, H.P., is ordered to be released in favour of the respondent-complainant-Chatar Singh.

The application stands disposed of in the aforesaid terms.

(Chirag Bhanu Singh)
Judge

September 17, 2026
(subhash)