

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

Cr. Revision No.62 of 2025

Date of Decision : 02.09.2026

Prem Verma

..... Petitioner

Versus

Sarvjeet Singh

.....Respondent

Coram:

The Hon'ble Mr. Justice Bipin Chander Negi, Judge

Whether approved for reporting?¹

For the petitioner : Ms. Anuja Mehta, Proxy Counsel.

For the Respondent : Ms. Aafreen Kaushal, Proxy Counsel.

Bipin Chander Negi, Judge (oral)

In the instant Revision Petition, an application under Section 147 of Negotiable Instruments Act (hereinafter referred to as "the N.I. Act"), i.e., *Cr.MP No.3801 of 2026*, for compounding of offence punishable under Section 138 of the N.I. Act, has been filed by the petitioner. From a perusal of the affidavit of the respondent/complainant appended with the application, it is evident that the petitioner has paid the entire amount to the

respondent/complainant. No reply thereto is to be filed by the non-applicant/complainant, as he has received the entire amount.

2. Briefs facts giving rise to the case at hand are that on a complaint filed by the present respondent against the petitioner under Section 138 of the Act before learned Chief Judicial Magistrate, Kullu, District Kullu, Himachal Pradesh, in Complaint No.990-1/2015, the petitioner had been convicted and sentenced to undergo simple imprisonment for a period of two years and to pay a fine of Rs. 20,00,000/- to the complainant.

3. Feeling aggrieved by the aforesaid judgment of conviction and order of sentence dated 20.08.2024, the present petitioner had preferred Criminal Appeal No.20 of 2024. The said appeal was dismissed vide judgment dated 04.12.2024.

4. Being aggrieved by the aforesaid judgment, the present petitioner had preferred present Criminal Revision before this Court.

5. During pendency of the present Revision Petition, the petitioner had compromised the matter with the respondent as the respondent admits receipt of the entire amount vide his affidavit dated 31.08.2026 appended along with the application filed under Section 147 of the Negotiable Instruments Act i.e. Cr. MP No.3801 of 2026.

6. Consequently in view of aforesaid, this Court finds no impediment in accepting the prayer made on behalf of the petitioner through application (Cr.M.P. No. 3801 of 2026) for compounding of the

offence and the same is allowed. The matter is ordered to be compounded *inter se* parties. Impugned judgments of conviction and order of sentence passed by both the learned Courts below are quashed and set aside. Petitioner-accused is acquitted of the offence punishable under Section 138 of the N.I. Act.

7 In terms of judgment passed by the Hon'ble Apex Court in ***Damodar S. Prabhu vs. Sayed Babalal H. (2010) 5 SCC 663***, the petitioner is required to pay compounding fee i.e. 15 % of the cheque amount as costs. However, taking into account the financial condition of the petitioner, which has been demonstrated in the application, the compounding fee, in the case at hand, is reduced to 2% of the cheque amount. The same be paid to the H.P. State Legal Services Authority, Kusumpati, Shimla-9, H.P., within a period of four weeks from today.

8. Report qua deposit of 2% of the cheque amount with HP State Legal Services Authority be sought from the concerned authority on or before **06.10.2026**. In the meanwhile, petitioner is also free to place copy of receipt qua payment made to the HP State Legal Services Authority.

9. Since the matter stands amicably compromised and on account of compromise so entered *inter se* the parties, the petitioner/accused has been acquitted of the offences punishable under Section 138 of the Negotiable Instruments Act, hence, he be released forthwith.

10. The Registry is directed to forward a soft copy of the bail order to the Superintendent, Central Model Jail Nahan, District Sirmaur, H.P., through email, with a direction to enter the date of grant of bail in the e-prison software

11. The petition stands accordingly disposed of so also the pending miscellaneous application(s), if any. A copy of this order be sent to the Superintendent, Central Model Jail Nahan, District Sirmaur, H.P. and the learned trial Court by FASTER.

September 02, 2026 (GVR)

**(Bipin Chander Negi)
Judge**

**GAURA
V SINGH**

