IN THE HIGH COURT OF JHARKHAND AT RANCHI
Criminal Revision No. 1152 of 2025

Mahesh Mehta, aged about 39 years, son of Horil Mahto, resident of Village-Ghagra, P.O. & P.S. Daru, District- Hazaribagh

... Petitioner

-Versus-

1. The State of Jharkhand
2. Dev Narayan Prasad, son of Gaundari Mahto, aged about 48 years, resident of Village- Badasi, P.O. Mifassil, P.S. Jagdishpur, District- Hazaribagh **... Opposite Parties**

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioner : Mr. Gautam Kumar Pandey, Advocate
For the State : Mrs. Ruby Pandey, A.P.P.
For O.P. No.2 : Mr. Anshuman Mishra, Advocate

03/02.12.2025 I.A. No.15802 of 2025 has been filed for condonation of delay of 1091 days in filing the present criminal revision petition.

2. Learned counsel appearing for the petitioner submits that in arranging the money and compromising the matter, such delay has occurred and in view of that, the delay may kindly be condoned.

3. Learned counsel appearing for the State and opposite party no.2 have got no serious objection if the delay is condoned.

4. Considering the nature of the case and further considering that the compromise has taken place and for the reasons assigned in the said I.A., the delay of 1091 days in filing the present criminal revision petition is, hereby, condoned.

5. Accordingly, I.A. No.15802 of 2025 is allowed and disposed of.

6. Heard Mr. Gautam Kumar Pandey, learned counsel appearing for the petitioner, Mrs. Ruby Pandey, learned counsel appearing for the State and Mr. Anshuman Mishra, learned counsel appearing for opposite party no.2.

7. This criminal revision petition has been filed for setting-aside the

judgment dated 12.08.2022 passed by the learned Sessions Judge, Hazaribagh in Criminal Appeal No.41 of 2019, whereby, the learned Sessions Judge has been pleased to dismiss the appeal and affirmed the judgment of the learned trial court. The further prayer is made for setting-aside the judgment of conviction and order of sentence dated 05.03.2019 passed by the learned Judicial Magistrate, 1st Class, Hazaribagh in Complaint Case No. 98 of 2016, T.R. No.1236 of 2019, whereby, the petitioner has been convicted under Section 138 of the Negotiable Instrument Act and he has been sentenced to undergo R.I. for three months and to pay compensation of Rs.3,00,000/- to the complainant/ opposite party no.2.

8. Learned counsel appearing for the petitioner submits that the matter is arising out of Section 138 of the Negotiable Instrument Act. He further submits that the petitioner has been convicted and sentenced to undergo R.I. for three months and to pay compensation of Rs.3,00,000/- to the complainant/opposite party no.2. He then submits that the said judgment was challenged by the petitioner before the learned Sessions Judge in Criminal Appeal No.41 of 2019, which has been dismissed vide judgment dated 12.08.2022. He next submits that now a good sense has prevailed between the petitioner and complainant and they have compromised the matter and for that, I.A. No.15809 of 2025 has been filed in the form of joint compromise petition. He also submits that in terms of the judgment of the learned trial court, the sum of Rs.3,00,000/- as compensation has already been paid to the complainant/opposite party no.2 by the petitioner and in view of that, this matter may kindly be disposed of. He next submits that this matter is compoundable in light of Section 147 of the Negotiable Instrument Act.

9. Learned counsel appearing for the State submits that it appears that the compromise is there between the parties.

10. Learned counsel appearing for the complainant/opposite party no.2 submits that the joint compromise petition has been filed, which has been affidavited by both the sides separately. He further submits that the complainant/opposite party no.2 has already received the compensation amount of Rs.3,00,000/- and he is not willing to further pursue the matter and in view of that, this matter can be disposed of.

11. In view of the above facts and considering the nature of the claim, it transpires that the case is compoundable under Section 147 of the Negotiable Instrument Act and, as such, the prayer made in I.A. No.15809 of 2025 is allowed and the same stands disposed of.

12. Consequently, the judgment of conviction and order of sentence dated 05.03.2019 passed by the learned Judicial Magistrate, 1st Class, Hazaribagh in Complaint Case No. 98 of 2016, T.R. No.1236 of 2019 and the judgment dated 12.08.2022 passed by the learned Sessions Judge, Hazaribagh in Criminal Appeal No.41 of 2019 are set-aside.

13. The petitioner shall be immediately set at liberty.

14. Accordingly, this criminal revision petition is allowed and disposed of.

(Sanjay Kumar Dwivedi, J.)

Dated: 2nd December, 2025
Ajay/

Uploaded on
4th December, 2025