



**IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH**

CRR-339-2025 (O&M)  
Date of decision: 01.04.2025

DR. Gian Chand

...Petitioner

Versus

Balwinder Singh

...Respondent

**CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH**

Present: Mr. R.K. Jaswal, Advocate for the applicant-petitioner.

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**KARAMJIT SINGH, J. (ORAL)**

**CRM-11729-2025**

1. Notice of motion.
2. Ms. Dilpreet Kaur, Advocate accepts notice on behalf of the respondent/complainant and is having no objection if the main case is taken up for hearing today itself.
3. For the reasons stated in the application, the same is allowed and the date of hearing in the main case is preponed from 28.04.2025 to today and the same is taken on board today itself for hearing.

**CRM-11728-2025**

For the reasons mentioned in the application, the same is allowed, subject to all just exceptions.

Document Annexure P-3 is taken on record.

**CRM-5244-2025**

For the reasons as mentioned in the application, the same is allowed. Delay of 20 days in filing the appeal is condoned.

**CRR-339-2025**

1. The present revision petition has been filed by the petitioner/accused seeking setting aside of judgment dated 16.10.2024 passed by the Court of Additional Sessions Judge, Patiala whereby the appeal filed by petitioner against judgment and order dated 16.08.2018 passed by the Court of Judicial Magistrate Ist Class, Patiala, whereby petitioner was convicted and sentenced to Simple Imprisonment for one year and to pay a compensation of Rs.3,50,000/- along with interest and in default of payment of compensation to further undergo Simple Imprisonment for three months under Section 138 NI Act, was dismissed.

2. The brief facts of the case are that petitioner issued one cheque bearing No.763088 of Rs.3,50,000/- dated 30.11.2015, in name of respondent/ complainant, in discharge of his legal liability. On presentation, the same was dishonored and then on completion of all the formalities, respondent filed complaint under Section 138 NI Act and on conclusion of trial, petitioner was convicted and sentenced to imprisonment and to pay a compensation as has been detailed in the opening paragraph of present judgment.

3. Being aggrieved, petitioner filed appeal which was also dismissed by the Court of Additional Sessions Judge, Patiala vide judgment dated 16.10.2024. Still being not satisfied petitioner filed the present revision petition.

4. During the course of hearing, it has been brought to the notice of the Court that matter has been compromised between the parties vide compromise (Annexure P-3) and the entire settled amount is paid by



petitioner to respondent. Today, the counsel appearing on behalf of complainant/respondent admitted the factum of compromise and further stated that entire settled amount is already received by respondent and that he is having no objection if offence punishable under Section 138 NI Act is compounded and the petitioner is acquitted. Even the counsel for the petitioner has admitted factum of compromise and has made prayer that the present petition be allowed.

5. Offence punishable under Section 138 NI Act is a compoundable offence. It appears that in the present case, parties have settled their dispute with regard to dishonor of cheque in question. In the given circumstances, permission is hereby given to the parties to compound an offence punishable under Section 138 NI Act, in the present case. Consequently, the petitioner deserves to be acquitted of an offence punishable under Section 138 NI Act.

6. For the foregoing reasons, the present petition is allowed and the impugned judgments passed by the Courts below are set aside and the petitioner is acquitted of an offence punishable under Section 138 NI Act.

**01.04.2025**

*Yogesh*

**(KARAMJIT SINGH)**  
**JUDGE**

**Whether speaking/reasoned:-**  
**Whether reportable:-**

**Yes/No**  
**Yes/No**