



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

CRR-787-2025 (O&M)
Date of decision: 02.04.2025

Mehar Singh @ Mehar Chand

...Petitioner

Versus

Vinay Gupta and another

...Respondents

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Lakshay Bector, Advocate for the petitioner.

Mr. Manjeet Kumar, Advocate for
Mr. Sahil Choudhary, Advocate for respondent No.1.

Mr. Karan Garg, AAG, Haryana.

KARAMJIT SINGH, J. (ORAL)

CRM-12282-2025

For the reasons given in the application, the same is allowed and delay of 507 days in filing of the revision petition is hereby condoned.

CRR-787-2025

1. The present revision petition has been filed by the petitioner/accused seeking setting aside of judgment dated 01.08.2023 passed by the Court of Additional Sessions Judge, Yamuna Nagar at Jagadhari whereby the appeal filed by petitioner against judgment and order dated 15/19.10.2016 passed by the Court of Judicial Magistrate Ist Class, Sub Division Bilaspur, District Yamuna Nagar whereby petitioner was convicted and sentenced to undergo SI for two years and also to pay a compensation to the tune of Rs.12 lacs and in case of default, the petitioner shall undergo



further imprisonment for a period of 1 year, under Section 138 NI Act, was dismissed.

2. The brief facts of the case are that petitioner issued cheque bearing number 000944 dated 02.04.2011 of Rs.8,40,000/- in name of complainant, in discharge of his legal liability in favour of respondent No.1/complainant. On presentation, the cheque was dishonored and then on completion of all the formalities, the respondent No.1 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, Yamuna Nagar at Jagadhari vide judgment dated 01.08.2023. Still being not satisfied petitioner filed the present revision petition.

4. Today, during the course of hearing, it has been brought to the notice of the Court that matter has been compromised between the parties and the counsel for the petitioner made payment of Rs.12 lacs through two demand drafts and the copies of the said bank demand drafts are placed on record. The counsel appearing on behalf of complainant/respondent No.1 admitted the factum of compromise and further stated that entire settled amount of Rs.12 lacs is received by respondent No.1 vide aforesaid two demand drafts bearing No.032880 dated 11.03.2025 and 760209 dated 10.03.2025 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 the factum of compromise and 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.

7. The pending applications are also disposed of in aforesaid terms.

02.04.2025

Yogesh

(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned:-
Whether reportable:-

Yes/No
Yes/No