

2025:PHHC:048338



134.

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

CRM-M-17719-2025

Date of decision: 08.04.2025

Sube Singh

.... Petitioner

Versus

State of Haryana and another

.... Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. S.S. Sahu, Advocate, for the petitioner.

Mr. Rahul Mohan, Senior DAG, Haryana,
for respondent No.1.

Mr. Sunita Devi, Advocate, for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

1. Prayer in this petition filed under Section 528 of BNSS is for setting aside the order dated 24.02.2025 (Annexure P-3) passed this Court; order dated 05.11.2009 (Annexure P-2) passed by learned Additional Sessions Judge, Fatehabad and judgment of conviction and order of sentence dated 27/28.02.2008 (Annexure P-1) passed by learned Chief Judicial Magistrate, Fatehabad, whereby the petitioner has been convicted and sentenced for a period of one year and to pay fine of Rs.5,000/-, in a complaint under Section 138 of the Negotiable Instruments Act, 1881.

2. Learned counsel for the petitioner submits that the parties have arrived at an amicable settlement subsequent to the conviction of the petitioner, vide Annexure P-4, dated 22.03.2025. In support of his submissions, he has placed reliance upon judgment of this Court in *Sube*

Singh and another Versus State of Haryana and another 2013(4) RCR (Criminal) 102 and Hon'ble Supreme Court in Criminal Appeal No.1393 of 2011 titled as '*Ramawtar Versus State of Madhya Pradesh*' decided on **25.10.2021 : LL 2021 SC 589**, wherein it has been held that the powers of the Court under Section 482 of the Cr.P.C. can be invoked to quash a complaint/FIR on the basis of a voluntary compromise even at a post conviction stage.

3. Learned counsel for respondent No.2 does not dispute the submissions made by counsel opposite and also does not oppose the prayer for compounding of the offence on the basis of compromise arrived at between the parties.

4. In view of the fact that the parties have amicably settled their dispute and the petitioner has paid the entire amount to the respondent No.2/complainant, the instant petition is allowed and impugned judgment and order of conviction is set aside. The offence under Section 138 of the NI Act is hereby compounded.

5. The petitioner be released forthwith, if his custody is not required in any other case.

(MANJARI NEHRU KAUL)
JUDGE

April 08, 2025
sanjeev

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No