



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRR-1225-2019 (O&M)

Date of decision: 25.08.2025

Jeet Singh

...Petitioner

VERSUS

M/s Roshal Lal Ashok Kumar Bank Bazar (Lehra Bazar) Rampura Phul

...Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. Deepak Aggarwal, Advocate for the petitioner(s).

Ms. Nitika Sharma, Advocate for

Ms. Supriya Garg, Advocate for the respondent(s).

VINOD S. BHARDWAJ, J. (Oral)

Challenge in the present revision petition is to the judgment dated 25.02.2019 passed by the Additional Sessions Judge, Bathinda whereby the appeal preferred by the petitioner was dismissed and judgment of conviction and order of sentence dated 16.04.2018 passed by the learned Sub-Divisional Judicial Magistrate, convicting the petitioner under Section 138 of the Negotiable Instruments Act, 1881 and sentencing him to undergo RI for a period of 1 ½ year and to pay fine of Rs.5000/-, was upheld.

2. During the pendency of the criminal revision **CRM-3077-2022** and **CRM-24798-2024** have been filed for permitting the compounding of the offences under Section 138 of the Negotiable Instruments Act as the parties have amicably settled the dispute with intervention of respectable persons of the society.



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3. Today, learned counsel for the petitioner submits that a compromise has been effected and thus prays for compounding the offence.

4. The learned counsel for complainant-respondent contends that as the matter has been settled between the parties, she has no objection if the prayer made in the application for compounding the offence under Section 138 N.I. Act is allowed and the petitioner is acquitted of the charges framed against him.

5. I have heard the learned counsel for both the parties.

6. This Hon'ble Court in '**Ramesh Chander Vs. State of Haryana and another, 2007(1) RCR (Criminal) 245**' held as under:-

"4. As per the provisions of Section 147 of the Act, the offence under Section 138 is compoundable. Section 147 reads as under:

"Offence to be compoundable-

Notwithstanding anything contained in the Criminal Procedure Code, 1973(2 of 1974), every offence punishable under this Act shall be compoundable".

5. The compounding of the offence under Section 138 can be done during the trial of the case as well as by the High Court or Court of Session while acting in the exercise of its power of revision under Section 401 Criminal Procedure Code Reference may be made to Section 320(6) Criminal Procedure Code in this regard.

6. Further, under Section 320(8) Criminal Procedure Code the composition of an offence shall have the effect of acquittal of the accused with whom the offence has been compounded."

7. This Court in '**Vatsa Electronics Vs. Pala Ram & Anr. decided**



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on 09.03.2022 in CRR-1585-2019' has also held that once a settlement is being effected, then in terms of Section 147 of the Negotiable Instruments Act and Section 320 Cr.P.C., the accused ought to be acquitted as the offence stands compounded.

8. In view of the above, since, the parties have voluntarily settled the disputes between themselves, it is a fit case for allowing them to compound the offence.

9. Accordingly, the revision petition alongwith the application for compounding the offence is allowed and the judgment dated 25.02.2019 passed by the Additional Sessions Judge, Bathinda and judgment/order of sentence dated 16.04.2018 passed by the learned Sub-Divisional Judicial Magistrate, are hereby **set aside**. The petitioner is acquitted of the charge under Section 138 of the Negotiable Instruments Act.

10. The petitioner is ordered to be released forthwith in case, if he is in custody and not required in any other case.

11. Since the main petition has been decided, no order needs to be passed in the pending application(s), if any.

(VINOD S. BHARDWAJ)
JUDGE

25.08.2025

Mangal Singh

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