



CRR-1467-2024 (O&M)

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

112+237

CRR-1467-2024 (O&M)

Date of Decision : 10.09.2025

JAGDISH

.... PETITIONER

V/S

MAHESH KUMAR

.... RESPONDENT

CORAM:HON'BLE MR. JUSTICE SUBHAS MEHLA

Present : Mr.Sourabh Sheoran, Advocate
for the petitioner.

Mr. Eeshan Garg, Advocate
for the respondent.

SUBHAS MEHLA, J. (Oral)**CRM-36455-2025**

To be heard with main case.

MAIN CASE

1. This revision petition has been filed for quashing of the judgment of conviction dated 06.03.2020 and order of sentence dated 07.03.2020 passed by learned Judicial Magistrate 1st Class, Bhiwani in case bearing CIS No. COMA-885-2017 as well as the judgment dated 08.07.2024 passed by learned Additional Sessions Judge, Bhiwani in Criminal Appeal No.323 of 2020.
2. Learned counsel for the petitioner submitted that compromise has been effected between the parties and the petitioner has paid the compensation amount to the respondent.
3. Learned counsel for respondent admits to the factum of compromise (Annexure A-1) and submits that respondent has received the whole amount. He further submits that respondent has no objection in case, the



offence under Section 138 of Negotiable Instruments Act (for short, 'NI Act') be compounded.

4. Heard.

5. In view of the fact that compromise has been effected between the parties and respondent has received the entire amount due towards the petitioner and has no objection, in case the impugned judgments are set-aside, the present petition is allowed. As the offences under the NI Act are compoundable as per the provisions of Section 147 of NI Act which is reproduced as under

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

6. So taking into consideration that the offences can be compounded at any stage. Once the complainant has signed the compromise deed accepting the amount in full and final settlement of the default amount the proceedings under Section 138 of NI Act cannot hold water, therefore, the conviction rendered by Courts below has to be set aside.

7. In view of the facts and circumstances, the offence under Section 138 of NI Act stands compounded subject to a compounding fee of Rs.60,000/- to be deposited in Punjab State Legal Services Authority-Disaster Relief Fund, Account No.44426937384, IFSC Code- SBIN0014656, State Bank of India, Sector-68, SAS Nagar (Punjab) within a period of 15 days from the date of receipt of certified copy of this order. Receipt thereof shall be presented before the learned trial Court. Accordingly, impugned judgments along with all subsequent proceedings arising therefrom are hereby set-aside. The petitioner is acquitted of the notice of accusation served upon him.



8. The trial Court/successor Court/Duty Magistrate is directed to issue release warrants of the appellant after production of receipt of cost, as stated above, forthwith.
9. It is made clear that in case, the petitioner fails to deposit cost and to produce the receipt thereof, within the stipulated period i.e. 15 days, this order shall be deemed to be withdrawn.
10. A copy of this order be sent to learned trial Court/successor Court for necessary compliance.
11. Pending miscellaneous application(s), if any, also stand(s) disposed of.

(SUBHAS MEHLA)
JUDGE

10.09. 2025
anju

Whether speaking/reasoned	: Yes/No
Whether Reportable	: Yes/No