



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

265

CRR-1967-2024 (O&M)
Date of decision : 01.12.2025

GURPREET SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB & ANR.

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SURYA PARTAP SINGH

Present: Mr. Sumeet Sagar Maini, Advocate for the petitioner.
Mr. J.S. Thind, DAG, Punjab.
Mr. Ashim Singla, Advocate for respondent No.2.

SURYA PARTAP SINGH, J. (Oral)

1. Vide abovementioned revision petition, the petitioner– Gurpreet Singh is assailing the judgment dated 06.09.2024, passed by the Court of learned Additional Sessions Judge Faridkot, vide which an appeal filed by him, against the judgment of conviction and order of sentence dated 06.02.2020, passed by the Court of learned Judicial Magistrate Ist Class Faridkot, has been dismissed.
2. The learned trial Court, vide above-mentioned judgment of conviction and order of sentence, had convicted the petitioner for the commission of offence punishable under Section 138 of Negotiable



Instruments Act, 1881, and sentenced him to undergo rigorous imprisonment for a period of two years and to pay a compensation equal to the amount of cheque in question, along with future interest @9% per annum from the date of judgment till the actual realization of the said amount.

3. In instant revision petition, the learned counsel for the petitioner prays for compounding of offence on the ground that the parties have amicably resolved their issues, in view of compromise arrived at between the parties. The learned counsel for the petitioner further prays that in view of compromise arrived at between the parties, by accepting the present revision petition the judgment of conviction and order of sentence passed by the learned trial Court, duly affirmed by the learned Appellate Court, may be set aside and the petitioner may be acquitted of the aforesaid charges. The learned counsel for the petitioner in support of his contentions has placed on record the compromise arrived at between the parties as Annexure P-1 and Annexure P-2. The same have already been taken on record.

4. Heard.

5. This Court vide order dated 24.09.2025, had directed the parties to appear before the learned trial Court for recording of their statements, with regard to genuineness of the compromise and learned trial Court was directed to submit its report.

6. Pursuant to aforesaid order, a report from the Court of learned Judicial Magistrate 1st Class, Faridkot, dated 10.11.2025 has been received. A perusal of above said report reveals that statements of the concerned



persons have been recorded, who have stated that the matter has been settled between them, amicably, and in view of compromise, the respondent No.2/complainant has no objection if the judgment of conviction and order of sentence passed by the learned trial Court, duly affirmed by the learned Appellate Court, are set aside and the petitioner is acquitted. As per report the compromise effected between the parties is genuine, without any undue influence and coercion.

7. The record has been perused carefully.

8. A perusal of record shows that the petitioner has been convicted for the offence punishable under Section 138 of NI Act, which is compoundable offence. The Hon'ble Supreme Court of India in the case of *Gian Chand Garg v. Harpal Singh and Another (Arising out of Special Leave Petition (Criminal) No. 8050 of 2025) decided on 11.08.2025*, has observed that it is very clear that although dishonour of cheque entails criminal consequence, the legislature by virtue of Section 147 of the NI Act has made it compoundable notwithstanding the provisions of the Code of Criminal Procedure, 1973 and the same can be compounded at any stage of the proceedings especially when the parties have themselves arrived at a voluntary compromise.

9. In another case, i.e. in the case of *B.V. Sessaiah v. State of Telangana & Anr. (2023) SCC OnLine SC 96*, the Hon'ble Supreme Court of India observed that when parties enter into an agreement and compound the offence, they do so to save themselves from the process of litigation and when such a step is taken by the parties, the law very well allows them to do



so. Hence, the Courts cannot override such compounding and impose its will.

10. Having regard to the facts and circumstances of the case, and the fact that the petitioner and the respondent No.2/complainant have amicably resolved the matter, and that the respondent No.2/complainant has no objection in case the present revision petition is accepted, the instant revision petition is hereby allowed and the offence is hereby compounded. Consequently, the judgment of conviction and order of sentence dated 06.02.2020, passed by the learned trial Court, affirmed by the learned Appellate Court vide judgment dated 06.09.2024, are hereby set aside. The petitioner/accused is hereby acquitted of all the charges framed against him. His bail bonds and the surety bonds shall stand discharged.

11. The miscellaneous application(s) pending, if any, shall stand disposed of.

01.12.2025

Vipin

(SURYA PARTAP SINGH)
JUDGE

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