



CRR-2800-2025 (O&M) -1-

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

122

**CRM-45005-2025 in/and
CRR-2800-2025 (O&M)
Decided on: 13.11.2025**

REKHA RANI

.....Petitioner

Versus

KIRPAL SINGH (SINCE DECEASED) THROUGH HIS LRS.

.....Respondents

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present: Mr. Paras Jagga, Advocate for the petitioner.

Mr. Gurmeet Singh, Advocate for
Mr. Amit Puri, Advocate
for respondents No.1 to 3.

SUBHAS MEHLA, J. (Oral)**CRM-45005-2025**

The present application under Section 147 of Negotiable Instruments Act read with Section 359 of BNSS, 2023 has been filed seeking compounding of offence, on the basis of compromise deed dated 15.10.2025 (Annexure P-1).

2. Learned counsel for the applicant-petitioner submitted that compromise has been effected between the parties and the petitioner has paid the compensation amount to the respondents.

3. Notice of the application.

4. Mr. Gurmeet Singh, Advocate who is present in the Court, by way of filing of Power of Attorney of Mr. Amit Puri, Advocate



representing respondents No.1 to 3, accepts notice on behalf of non-applicant/respondents.

5. Learned counsel for non-applicant/respondents admits the factum of compromise (Annexure P-1) and submits that respondents have received the whole amount. He further submits that respondents have no objection in case, the offence under Section 138 of Negotiable Instruments Act, 1881 (for short 'NI Act') be compounded.

6. Heard.

7. For the reasons given in the application and in view of the fact that compromise has been effected between the parties and further respondents have received the entire amount due towards the applicant-petitioner and has no objection, in case the impugned judgments are set-aside, the present application **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. The offence under Section 138 of NI Act as a “Civil Sheep” in “Criminal Wolfs Clothing” which means issues agitated by the parties under the said provision are of private nature which are brought within the sweep of criminality jurisdiction in order to strengthen the credibility of the NI Act. The Hon’ble Apex Court in **Gian Chand Garg vs. Harpal**



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 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. Further, the Court observed that once the complainant has signed the compromise deed accepting the amount in full and final settlement of the default sum the proceedings under Section 138 of the NI Act cannot hold water, therefore, the concurrent conviction rendered by the Courts below has to be set-aside.

7. While exercising powers under Section 528 of BNSS, the present application is allowed. Offence under Section 138 of NI Act stands compounded subject to cost of Rs.23,000/- (Rupees Twenty Three Thousand only) to be deposited in Haryana State Legal Services Authority, Panchkula, in account No.11901238123 IFSC Code:SBIN00004172, State Bank of India, Sector-14, Panchkula, 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 applicant-petitioner is acquitted of the notice of accusation served upon her.



CRR-2800-2025 (O&M) -4-

8. The trial Court/successor Court/Duty Magistrate is directed to issue release warrants of the applicant-petitioner after production of receipt of compounding fee/cost, as stated above, forthwith.

9. It is made clear that in case, the applicant-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.

CRR-2800-2025 (O & M)

11. Since offence(s) against the petitioner have been compounded in terms of order passed in CRM-45005-2025, the present petition has been rendered infructuous.

12 In view of above, the present petition is disposed of, as having become infructuous.

13. Pending miscellaneous application(s), if any, also stand(s) disposed of.

(SUBHAS MEHLA)
JUDGE

13.11.2025
Sonia Puri

Whether Speaking/Reasoned: YES/NO
Whether Reportable: YES/NO