IN THE HIGH COURT OF HIMACHAL PRADESH AT SHIMLA

Cr.R. No. 93 of 2017
Decided on 30th October, 2026

M/s Heteshwari Fruit Trader **…Petitioner**

Versus

Chander Singh & Anr. **…..Respondents**

Coram
Hon'ble Mr. Justice Chirag Bhanu Singh, Judge.
[1]Whether approved for reporting?

For the petitioner	**:**	**Mr. Vidur Kapur, Advocate vice Mr. Sative Chauhan, Advocate**
For respondent No.1	**:**	**Ms. Aishwarya Chauhan, Advocate.**
For respondent No.2-State	**:**	**Mr. Rajpal Thakur, Additional Advocate General.**

Chirag Bhanu Singh, Judge (Oral)

The petitioner has preferred an application (Cr.MP No.4665 of 2026) under Section 147 of the Negotiable Instruments Act (in short, the "NI Act") on the premise that the entire compensation amount of Rs. 75,000/- stands deposited and the petitioner is willing to compromise the matter.

2. Per the learned counsel for the petitioner, an amount of

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[1]Whether reporters of Local Papers may be allowed to see the judgment? Yes

Rs. 22,000/- stands deposited before the learned trial Court, while the balance amount has been deposited before the Registry of this Court.

3. The learned counsel for the respondent stands no objection, if the matter is compounded. The respondent would have received the entire amount, if the amount lying in deposit with the Court is ordered to be released in the favour of the respondent.

4. In view of the aforesaid circumstances emerging on record and considering the fact that the parties have buried the hatchet and settled the matter in full and final satisfaction of all claims, the petition deserves to be allowed.

5. The Hon'ble Supreme Court of India in ***K.M. Ibrahim v. K.P. Mohammed & Anr. ((2010) 1 SCC 798)*** has categorically held that offences under Section 138 of the NI Act can be compounded even at the appellate stage, the said view that has been consistently being followed till now.

6. Thus, keeping in view the aforesaid mandate of law and the fact that the parties have compromised the lis and the entire amount stands deposited, the parties are allowed to compound the offence. Consequently, the conviction and sentence imposed by the

learned Courts below are quashed and set aside, and the petitioner is acquitted of the charges. The amount of Rs. 22,000/- lying deposited before the learned trial Court and the Registry of this Court is ordered to be released in favour of the respondent No.1 forthwith.

7. The petition is disposed off in the aforesaid terms. Pending miscellaneous applications, if any, also stands disposed off.

(Chirag Bhanu Singh)
Judge

30.10.2026
(Ritu)