

CRR-344-2026 (O&M)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRR-344-2026 (O&M)

Vinod Kumar ...Petitioner(s).

Versus

State of Haryana & another ...Respondent(s).

Judgment reserved on	Judgment pronounced on	Operative Part Pronounced or full	Uploaded on
23.02.2026	05.03.2026	Fully pronounced	05.03.2026

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA,

Present: Mr. Lokesh Vohra, Advocate
for the petitioner(s).

Mr. Vivek Chauhan, Addl.A.G., Haryana.

Ms. Divya, Advocate
for respondent no.2.

ANOOP CHITKARA, J.

Case No.	CIS No.NACT/176/2022 (CNR No.HRFT03-000649-2022) Date of decision: 17.07.2025
Names of convict	Vinod Kumar
Conviction under sections	138 of Negotiable Instruments Act
Sentence imposed	Simple imprisonment for one year and further, to pay compensation of Rs.10,15,000/- i.e. equal to the cheque amount to the complainant.

Criminal Appeal No.	CIS No.CRA-422-2025 Criminal Appeal No.162-CRA(Act) of 2025. Date of decision: 12.11.2025
---------------------	---

1. Challenging the judgment of conviction and sentence dated 17.07.2025 passed
by the Judicial Magistrate, Ist Class, Fatehabad, as affirmed by Additional Sessions

CRR-344-2026 (O&M)

Judge, Fatehabad, dismissing the appeal, whereby the petitioner was convicted under Section 138 of Negotiable Instruments Act and sentenced, as mentioned above, the petitioner has come up before this Court by filing the present criminal revision petition.

2. At the outset, counsel for the petitioner submitted that the petitioner is a poor person and has no source of income and therefore, he is not in a position to pay the compensation as awarded by the trial Court. He submitted that the petitioner is the first offender and out of the total awarded sentence of one year, he has already undergone a period of 3 months and 13 days including remission (as on 20.02.2026). He further submitted that the petitioner has already suffered a lot for the last about four years and he would be contented and satisfied if the sentence awarded to the petitioner is reduced to the period already undergone by him.

3. State counsel has handed over custody certificate of the petitioner dated 20.02.2026, as per which the petitioner has already undergone a period of 03 months and 13 days (including remission of 4 days).

4. Legal aid counsel appearing on behalf of respondent no.2 i.e. The Fatehabad Central Co-operative Bank Limited, has strongly opposed the prayer made on behalf of the petitioner and submitted that the petitioner be directed to pay the compensation amount, as awarded by the trial Court.

5. I have heard learned counsel for the parties and have perused the relevant material placed on record.

6. Given the submissions made by counsel for the petitioner, State counsel as well as respondent no.2-complainant and after going through the record of the case, I am of the considered opinion that given the period of custody undergone by the petitioner, ends of justice would be met if the order of conviction is affirmed and sentence awarded to the petitioner is reduced to the period of sentence already undergone by the petitioner. However, respondent no.2 shall have the remedy to recover the amount of compensation from the petitioner.

CRR-344-2026 (O&M)

7. For the foregoing reasons, the above-mentioned revision petition is disposed of and the substantive sentence of the petitioner-accused is reduced to the period already undergone by him, which as per record is about 3½ months, as he was taken in custody on 12.11.2025. However, respondent no.2 shall be at liberty to recover the amount of compensation from the petitioner in accordance with law. Petitioner be released immediately in this case, without any delay. All pending CRM(s), if any, are also disposed of accordingly.

05.03.2026
Ak

(ANOOP CHITKARA)
JUDGE

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