



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

135

CWP-7374-2026

Date of Decision: 11.03.2026

BISHAN DAYAL

...Petitioner

Versus

STATE OF HARYANA AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. S.K. Sirsa, Advocate for petitioner

Mr. Akshit Pathania, AAG, Haryana

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of order dated 07.11.2025 passed by Presiding Officer (Pre Lok Adalat)-cum-Judicial Magistrate First Class.

2. The respondent filed a complaint under Section 138 of Negotiable Instruments Act, 1881 against the petitioner. Both the parties entered into compromise. As per compromise, the petitioner agreed to pay a sum of Rs.20,00,000/- to respondent. He issued two cheques of Rs.10,00,000/- each bearing Nos. 057632 and 057631. On the basis of settlement between the parties, Presiding Officer (Pre Lok Adalat)-cum-Judicial Magistrate First Class passed award dated 07.11.2025. In the award, it was mentioned that if cheques



tendered by accused are not honored, the complainant shall be entitled to restore the complaint.

3. On being asked, learned counsel for the petitioner submits that first cheque has already been encashed and second cheque has been presented by respondent. He further submits that compromise was not voluntary, thus, order dated 07.11.2025 deserves to be set aside.

4. From the perusal of award dated 07.11.2025, it is evident that petitioner handed over two cheques of Rs.10,00,000/- each to respondent/complainant. One cheque has already been encashed. As per award, if cheque is dishonored, the complainant is entitled to restore the original compliant. By no stretch of imagination, it can be inferred that compromise was not voluntary and award was passed contrary to consent of the petitioner. In any case as per award, if cheque is dishonored, the complainant is entitled to restore the complaint.

5. This Court does not find any factual or legal infirmity in the impugned order warranting interference.

6. In the wake of above discussion and findings, this Court is of the considered opinion that petition deserves to be dismissed and accordingly dismissed.

(JAGMOHAN BANSAL)
JUDGE

11.03.2026
SDK

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