

**CRR-683-2026 (O&M)****1****IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****132****CRR-683-2026 (O&M)
Date of decision: 23.03.2026****DEVENDER SINGH****... PETITIONER(S)****VERSUS****STATE OF HARYANA AND ANOTHER****...RESPONDENT(S)****CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI**

Present: Mr. Pardeep Balyan, Advocate
for the petitioner.

Mr. Viney Phogat, DAG, Haryana.

Mr. R.K. Poonia, Advocate with
Ms. Baljeet Kaur Bhardwaj, Adocate and
Mr. Supreet, Advocate
for respondent No.2.

JASJIT SINGH BEDI, J. (Oral)**CRM-12062-2026**

This is an application under Section 528 of BNSS, 2023 is
for early hearing of the application bearing No.11206 of 2016 in main
case i.e. CRR No.683 of 2026.

For the reasons mentioned in the application, the same is
allowed and the main case is taken on board today itself.

CRM-12063-2026

This is an application filed under Section 528 BNSS, 2023
(482 Cr.P.C) for compounding of the offence in view of the fact that the
matter has been compromised between the parties.

Allowed as prayed for subject to all just exceptions.

CRR-683-2026

**CRR-683-2026 (O&M)****2**

2. The present revision petition has been filed against the judgment dated 27.02.2026 passed by the Additional Sessions Judge, Sonapat vide which the appeal preferred by the accused-petitioner against the judgment of conviction and order of sentence dated 27.09.2021 passed by the Judicial Magistrate Ist Class, Sonapat has been dismissed.

3. The brief facts of the case are that the accused-petitioner had borrowed a sum of Rs.2,00,000/- from the complainant/respondent No.2 with an assurance to return the same in near future. In order to discharge his liability, the accused-petitioner issued a cheque bearing No.007526 dated 02.09.2016 for a sum of Rs.2,00,000/- drawn at Axis Bank Limited, Sonipat in favour of the complainant-respondent No.2 which came to be dishonoured. Pursuant thereto, the accused came to be summoned under the provisions of the 138 of the Negotiable Instruments Act, 1881 vide order dated 04.10.2016.

4. The evidence was led and ultimately, the accused/petitioner was held guilty and accordingly, convicted for the offence punishable under Section 138 of the Negotiable Instruments Act, 1881 and sentenced to undergo simple imprisonment for three months along with compensation equivalent to the cheque amount.

5. Aggrieved against the said judgment of conviction and order of sentence, the accused/petitioner preferred an appeal before the Additional Sessions Judge, Sonapat which came to be dismissed vide a judgment dated 27.02.2026.

6. Still aggrieved, the present revision petition has been

**CRR-683-2026 (O&M)****3**

preferred by the accused-petitioner.

7. The learned counsel for the petitioner contends that during the pendency of the present petition, a compromise has been effected between the parties on 16.03.2026 (Annexure-A/2). As agreed, a cheque for a sum of Rs.2,00,000/- has been handed over to the learned counsel for the complainant-respondent No.2 as full and final payment. Thus, nothing remains due towards the complainant-respondent No.2. He further contends that in view of Section 147 of the Negotiable Instruments Act read with Section 320 Cr.P.C. where a settlement has been effected, the offence under Section 138 of the Negotiable Instruments Act can be compounded on account of the fact that a mutual compromise has been effected between the parties.

8. The learned counsel for the State-respondent No.1 and the counsel for the complainant-respondent No.2 contend that as the matter has been settled between the parties, they have no objection if the prayer of the learned counsel for accused-petitioner for compounding the offence under Section 138 N.I. Act is allowed and the petitioner is acquitted of the charges framed against him.

9. I have heard the learned counsel for both the parties.

10. This Hon'ble Court in **'Ramesh Chander Vs. State of Haryana and another, 2007(1) RCR (Criminal) 245'** held as under:-

"4. As per the provisions of Section 147 of the Act, the offence under Section 138 is compoundable. Section 147 reads as under:

"Offence to be compoundable Notwithstanding anything contained in the Criminal Procedure Code, 1973(2 of 1974),



every offence punishable under this Act shall be compoundable”.

5. The compounding of the offence under Section 138 can be done during the trial of the case as well as by the High Court or Court of Session while acting in the exercise of its power of revision under Section 401 Criminal Procedure Code Reference may be made to Section 320(6) Criminal Procedure Code in this regard.

6. Further, under Section 320(8) Criminal Procedure Code the composition of an offence shall have the effect of acquittal of the accused with whom the offence has been compounded.”

11. This Court in 'Vatsa Electronics Vs. Pala Ram & Anr. decided on 09.03.2022 in CRR-1585-2019' has also held that once a settlement is being effected, then in terms of Section 147 of the Negotiable Instruments Act and Section 320 Cr.P.C., the accused ought to be acquitted as the offence stands compounded.

12. In view of the above, since, the parties have voluntarily settled the disputes between themselves, it is a fit case for allowing them to compound the offence.

13. Accordingly, the revision petition is allowed and subject to payment of Rs.25,000/- as costs to be deposited with Punjab and Haryana High Court Bar Association, Account No.65035682434, State Bank of India, IFSC:-SBIN0050306, the judgment dated 27.02.2026 passed by the Additional Sessions Judge, Sonapat as well as the judgment of conviction and order of sentence dated 27.09.2021 passed by the Judicial Magistrate Ist Class, Sonapat, are hereby set aside. The petitioner is



acquitted of the charge under Section 138 of the Negotiable Instruments Act.

14. Since the main petition has been disposed of no order needs to be passed in the pending application(s), if any.

(JASJIT SINGH BEDI)
JUDGE

23.03.2026

Kusum

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No