



**In the High Court for the States of Punjab and Haryana
At Chandigarh**

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CRR-728-2026 (O&M)
Date of Decision:-07.04.2026

Ramesh Kumar & Anr.

... Petitioners

Versus

State of Haryana & Anr.

... Respondents

CORAM: HON'BLE MR. JUSTICE SURYA PARTAP SINGH

Present:- Mr. Chand Ram Olla, Advocate for the petitioner.

Ms. Deepali Verma, Asst. A.G. Haryana

Mr. Yogesh Jangra, Advocate for the respondent No.2.

SURYA PARTAP SINGH, J.(Oral)

CRM-13693-2026

This is an application seeking for placing certain documents on record. For the reasons stated in the application, the same is hereby allowed and the documents annexed with the application are taken on record.

CRM-13692-2026 & CRR-728-2026

2. Vide abovementioned revision petition, the petitioner No.1– Ramesh Kumar is assailing the judgment dated 07.03.2026, passed by the Court of learned



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Additional Sessions Judge Hisar, hereinafter being referred to as 'Appellate Court' only. Vide abovementioned judgment, the appeal filed by the petitioner, against the judgment of conviction and order of sentence dated 10.01.2020, recorded by the Court of learned Judicial Magistrate First Class Hisar, hereinafter being referred to as 'trial Court' only, has been dismissed.

3. Vide abovementioned judgment of conviction and order of sentence, the learned trial Court had convicted the petitioner for the commission of offence punishable under Section 138 of Negotiable Instruments Act, 1881, hereinafter being referred to as 'NI Act' only, and sentenced him to undergo simple imprisonment for a period of nine months and to pay compensation of Rs.17,75,000/- to the complainant/respondent, hereinafter being referred to as 'respondent' only.
3. During the course of pendency of the instant revision petition, an application, bearing CRM-13692-2026, has been moved by the petitioner for the compounding of offence on the ground that the parties have amicably resolved their issues, and that the matter has been fully compromised between them. The statements of respondent No.2 and learned counsel for the petitioners have already been recorded qua the factum of compromise.
- 4 Mr. Yogesh Jangra, Advocate has filed Power of Attorney on behalf of the respondent No.2. The same be taken on record. The respondent No.2, who was complainant before the learned trial Court, has endorsed the factum of compromise, and expressed that he has no objection if the impugned judgments are set aside.



5. Today statement of respondent No.2 has been recorded, wherein he has stated that he has entered into compromise with the petitioner and in view of abovesaid compromise, he has no objection if the offence under Section 138 of NI Act is compounded and the petitioner is acquitted of the charges, by accepting the present revision petition. It has further been stated by the respondent No.2 that he has entered into compromise without any pressure or coercion, and that the compromise is genuine and valid.
6. The statement of learned counsel for the petitioner has also been recorded, wherein he has stated that the petitioner and respondent No.2 have arrived at a compromise. As per learned counsel for the petitioner, since the complainant has no objection in compounding the offence in this petition, by allowing the present petition, the petitioner may be acquitted from the abovementioned charges. He further stated that since the petitioner is in custody, his statement, being counsel of the petitioner, may be recorded on his behalf.
7. The record has been perused carefully.
8. The Hon'ble Supreme Court of India in the case of 'Gian Chand Garg v. Harpal Singh and Another' (arising out of Special Leave Petition (Criminal) No. 8050 of 2025) decided on 11.08.2025, has observed that it 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 when the parties have themselves arrived at a voluntary compromise.



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9. In another case, i.e. in the case of 'B.V. Sessaiah v. State of Telangana & Anr.' (2023) SCC OnLine SC 96, the Hon'ble Supreme Court of India has observed that when parties enter into an agreement and compound the offence, they do so to save themselves from the process of litigation and when such a step is taken by the parties, the law very well allows them to do so. Hence, the Courts cannot override such compounding and impose its will.
10. Having regard to the facts and circumstances of the case, and the fact that the complainant and the petitioners have amicably resolved the matter, and that the complainant/respondent No.2 has no objection in case the present revision petition is accepted, the instant revision petition deserves to be allowed, and the offence is to be compounded.
11. Consequently, by accepting the application for compounding of offence, the instant Revision Petition is hereby **allowed** and the judgment of conviction and order of sentence dated 10.01.2020, passed by the learned trial Court, as affirmed by the learned Appellate Court vide judgment dated 07.03.2026, are hereby set aside. The accused/petitioner is acquitted of the charge framed against him. His bail bonds are hereby discharged. Petitioner is ordered to be released forthwith.
12. Pending miscellaneous application(s), if any, shall also stand disposed of, accordingly.

07.04.2026

Gaurav Thakur

**(Surya Partap Singh)
Judge**Whether speaking /reasoned
Whether ReportableYes
Yes / No