



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

115

CRR-935-2025 (O&M)
Date of decision: 11.02.2026

KULDEEP VERMA

... PETITIONER(S)

VERSUS

STATE OF HARYANA & ANOTHER

...RESPONDENT(S)

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. DPS Joura, Advocate for the petitioner(s).

Mr. Viney Phogat, DAG, Haryana.

Mr. Pradeep Duhan, Advocate for respondent No.2.

JASJIT SINGH BEDI, J. (Oral)

CRM-5344-2026

This is an application filed under Section 528 of BNSS for preponing the date of hearing in the case i.e. fixed for 12.03.2026.

For the reasons mentioned in the application, the same is allowed and the hearing of the main petition is advanced to today and the matter is taken up for hearing.

CRM-5345-2026

This is an application filed under Section 528 of BNSS for placing on record the compromise deed and the affidavit of complainant/respondent No.2 as Annexures P-1 and P-2 respectively.

For the reasons mentioned in the application, the same is allowed and Annexures P-1 and P-2 are taken on record, subject to all just exceptions.

**CRR-935-2025 (O&M)**

The present revision petition has been filed against the judgment dated 04.01.2024 passed by the Additional Sessions Judge, Fatehabad vide which the appeal preferred by the accused-petitioner against the judgment of conviction and order of sentence dated 22.08.2017 and 29.08.2017 passed by the Judicial Magistrate Ist Class, Tohana, District Fatehabad, has been dismissed.

2. The brief facts of the case are that in discharge of his legal liability, the petitioner/accused issued a cheque bearing No.021531 dated 27.07.2013 for an amount of Rs.4,00,000/- in favour of the complainant 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 16.10.2013.

3. The evidence was led and ultimately, the accused 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 a period of 02 years. The accused was also ordered to pay an amount of Rs.6,00,000/- as compensation to the complainant.

4. Aggrieved against the said judgment of conviction and order of sentence, the accused preferred an appeal before the Additional Sessions Judge, Fatehabad, which came to be dismissed on 04.01.2024.

5. Still aggrieved, the present revision petition has been preferred by the accused. During the pendency of the present criminal



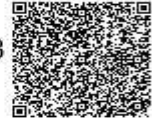
revision petition, an application (CRM-5346-2026) under Section 528 of BNSS read with Section 359 of BNSS read with Section 147 Negotiable and Instruments Act, on oral request, has been filed for permitting the compounding of the offences under Section 138 of the Negotiable Instruments Act as the parties have amicably settled the dispute with intervention of respectable persons of the society. In terms of the compromise arrived at between the parties, the accused-petitioner has made the entire payment i.e. Rs.4,00,000/- due to the complainant-respondent as full and final settlement of the dispute. It would be relevant to mention here that a reading of Section 147 of the Negotiable Instruments Act alongwith Section 320 Cr.P.C. would establish that 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.

6. The learned counsel for the complainant has accepted the factum of the compromise and has stated that he has no objection if the prayer made in the application for compounding the offence under Section 138 N.I. Act is allowed and the petitioner is acquitted of the charges framed against him.

7. I have heard the learned counsel for the parties.

8. This 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.”

9. 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.

10. The admitted position is that the matter stands settled and the compromise/settlement between the parties dated 28.01.2026 (Annexures P-1 and P-2 in CRM-5345-2026) is already on record.

11. 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.

12. Accordingly, the revision petition is allowed and subject to payment of Rs.25,000/- as costs to be deposited with Day Care Centre for



Elderly Disabled in home for Old & Destitute People, Sector-15, Chandigarh is being run by Chandigarh Scheduled Castes, Backward Classes & Minorities Financial & Development Corporation, the judgment dated 04.01.2024 passed by the Additional Sessions Judge, Fatehabad as well as the judgment of conviction and order of sentence dated 22.08.2017 and 29.08.2017 passed by the Judicial Magistrate Ist Class, Tohana, District Fatehabad, are hereby set aside. The petitioner is acquitted of the charge under Section 138 of the Negotiable Instruments Act.

13. 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

11.02.2026

Kusum

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