



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

**CRM-M No.39078 of 2025
Date of decision: 24.04.2026**

Sunil Garg

...Petitioner

Versus

Raman Gupta

...Respondent

CORAM: HON'BLE MS. JUSTICE MANDEEP PANNU

Present :- Mr. Gaurav Mohunta, Senior Advocate with
Mr. Satyendra Kumar, Advocate and
Mr. Nishant Arora, Advocate
for the petitioner.

Mr. Gurjinder Singh Thind, Advocate
for the respondent.

MANDEEP PANNU, J. (Oral)

1. Present petition has been filed by the petitioner/accused for issuance of direction to learned Appellate Court in Appeal No. 238/2023 dated 12.05.2023 titled as '*Sunil Garg vs. Raman Gupta*' to entertain the application for compounding the offence under Section 138 of the Negotiable Instruments Act and pass appropriate order thereon.
2. It is submitted by learned counsel for the petitioner that the petitioner is ready to pay the entire amount of the cheque in dispute along with interest @ 9% per annum from the date of dishonour of the cheque till its realization in terms of the judgment dated 19.04.2023 passed by learned JMIC, Patiala in the above said complaint, in which he was convicted. It is further submitted that in appeal, the petitioner intends to settle the dispute



with the complainant by paying the entire cheque amount and accordingly moved an application for compounding of the offence before learned Appellate Court; however, learned Appellate Court is not accepting the said application on the ground that the complainant is not coming forward for compounding.

3. After hearing learned counsel for the petitioner and perusing the record, this Court is of the considered view that the application for compounding of offence under Section 138 of the Negotiable Instruments Act cannot be refused to be taken on record merely on the ground that the complainant is not coming forward at that stage. The Court is obligated to consider such an application in accordance with law, especially when the petitioner has expressed willingness to pay the entire cheque amount along with interest. The refusal to even entertain the application would defeat the very object of compounding provisions, which are intended to encourage settlement of disputes and reduce litigation.

4. Accordingly, the present petition is allowed and learned Appellate Court is directed to entertain the application for compounding of the offence and decide the same expeditiously in accordance with law, after affording due opportunity to both the parties.

5. Pending applications, if any, also stand disposed of.

(MANDEEP PANNU)
JUDGE

24.04.2026
neetu

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