



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

138

CRR-2698-2025 (O&M)
Date of decision: 23.01.2026

NAVNEET KUMAR SANDHU

... PETITIONER(S)

VERSUS

AVINASH KUMAR SHUKLA

...RESPONDENT(S)

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Aditya Jain, Advocate
for the petitioner.

Mr. Amanpreet Singh, Advocate
for the respondent.

JASJIT SINGH BEDI, J. (Oral)

CRM-2697-2026

This is an application filed under Section 528 of BNSS for
preponing the date of hearing in the main case i.e. fixed for 03.03.2026.

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 on board for hearing.

CRM-44108-2025

For the reasons mentioned in the application, the same is
allowed. Copy of zimni orders as Annexures P-1 to P-4 are taken on
record, subject to all just exceptions.

CRR-2698-2025

The present revision petition has been filed against the



judgment dated 08.10.2025 passed by the Additional Sessions Judge, Faridabad vide which the appeal preferred by the accused-petitioner against the judgment of conviction and order of sentence dated 18.10.2018 passed by the Judicial Magistrate Ist Class, Faridabad 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.293069 dated 05.10.2013 for a sum of Rs.14,00,000/- 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 20.11.2014.

3. 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 one year. The accused was also ordered to pay an amount of Rs.21,00,000/- as compensation to the complainant.

4. Aggrieved against the said judgment of conviction and order of sentence, the accused/petitioner preferred an appeal before the Additional Sessions Judge, Faridabad which came to be dismissed vide a judgment dated 08.10.2025.

5. Still aggrieved, the present revision petition has been preferred by the accused-petitioner.

6. The learned counsel for the petitioner contends that during



the pendency of the present petition, a compromise has been effected between the parties. As agreed, a cheque for a sum of Rs.21,00,000/- has been handed over to the counsel for the complainant-respondent as full and final payment. Thus, nothing remains due towards the complainant-respondent. 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.

7. The learned counsel for the complainant-respondent contends that as a compromise has been effected between the parties and, in respect of the cheque amount of Rs.14,00,000/-, Rs.21,00,000/- has been paid, 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.

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

9. 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.”

10. 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.

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 Punjab State Legal Services Authority-Disaster Relief Fund, Account No.44426937384, IFSC Code:SBIN0014656, State Bank of India, Sector 68, SAS Nagar, the judgment dated 08.10.2025 passed by the Additional Sessions Judge, Faridabad as well as the judgment of conviction and order of sentence dated 18.10.2018 passed by the Judicial Magistrate Ist Class, Faridabad,



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

23.01.2026

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