

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR-3222-2025 (O&M)

JUDGEMENT RESERVED ON	JUDGEMENT PRONOUNCED ON	OPERATIVE PART PRONOUNCED OR FULL	UPLOADED ON
21.05.2026	26.05.2026	FULL PRONOUNCED	26.05.2026

M/s Guru Kirpa Traders through its Partner Neeraj Kumar Arora
... Petitioner

Versus

M/s Khushi Nets and Fab and others
... Respondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Amanpreet Singh, Advocate
For the petitioner.

None for the respondents.

ANOOP CHITKARA, J.

TRIAL COURT	
Name of the Complainant	M/s Khushi Nets & Fab through its proprietor Amit Bansal
Name of the accused/ convict	Neeraj Kumar Arora
Cheque Amount	Rs. 3,00,000/-
Complaint Case No.	4424/2016 CNR No.PBAS03-010026-2016 Date of decision: 16.05.2019
Conviction under sections	138 of Negotiable Instruments Act
Sentence imposed	Rigorous Imprisonment for 01 year along with a compensation amount of Rs. 3,00,000/-

SESSIONS COURT	
Names of convict	Neeraj Kumar Arora
Criminal Appeal No.	CRA-370-2019
CNR No.	PBAS010144422019
Date of decision	31.10.2025

1. Challenging the above captioned judgment passed by the trial Court, whereby the petitioner was convicted and sentenced under Section 138 of the Negotiable Instruments

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Act, 1881, which was affirmed by the Sessions Court as mentioned above, the convict has come up before this Court by filing the present criminal revision petition.

2. As per office report, notice issued to counsel Mr. Shashiveer Sharma, who was appearing before the trial court on behalf of the respondents, has been received back with the report “Mr. Shashiveer Sharma, Advocate not met at the time of service and on his behalf Advocate Ritik has received the notice.”

3. None appeared on behalf of the respondents.

4. Since respondents are Firm(s), as such this Court cannot appoint legal aid counsel to represent Firms. The concept of legal aid counsel(s) is to protect the liberty of individuals and not of legal entities like corporates, partnership firms and associations etc.

5. Given above, now this Court shall proceed further by hearing counsel for the petitioner.

6. Counsel for the petitioner submits that the cheques in question are security cheques which were mis-represented, but he is not arguing the case on merits. Counsel for the petitioner further submits that there are multiple cases pending against the petitioner and in the present case, he is of the considered opinion that it would be in the best interest of his client if he confines his arguments only for reduction of sentence. Counsel further submits that petitioner is very poor person and he is unable to pay any money and his liberty is already curtailed because of the poverty. He further submits that the sentence be reduced to 15 days. However, the State is not a party, but learned counsel for the State submits that 15 days are too less and it should be 60 days.

7. As per the judgment passed by the trial Court, the cheque amount was Rs.3,00,000/-.

8. As per the judgment passed by the trial Court, the sentence, fine, and compensation amount awarded in favor of the complainant and against the accused/petitioner are as follows:

SENTENCE AWARDED BY THE TRIAL COURT		
Sentence of Imprisonment	Compensation Amount/ Fine Amount	Default imprisonment in case of non-payment of compensation/fine
RI for one year	Rs. 3,00,000/-	RI for two months

9. In the appeal filed by the accused/convict, the conviction, sentence, and compensation were upheld.

10. As per custody certificate dated 20.05.2026, petitioner’s custody in this case is NIL, because the petitioner is undergoing the sentence in other pending cases and sentence in this case has not started yet.

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11. Considering the compensation amount to be Rs.3 lacs, I think it appropriate that if the sentence is reduced to 60 days, which would make it Rs.5,000/- per day.
12. Given the cheque amount, compensation awarded, and the sentence already undergone, the ends of justice shall be met if the sentence is reduced to 60 days. However, compensation is increased by Rs.50,000/- from Rs.3,00,000/- to Rs.3,50,000/-, with liberty to the respondents to recover the same in accordance with law.
13. The compensation amount hereinafter deposited, along with interest accrued on the deposits, if any, less taxes, if any, shall be released in favor of the complainant by transferring to the complainant's bank account in which the complainant is the sole holder.
14. The personal bail bonds and surety bonds, if any, are discharged.
15. The petition is partly allowed to the extent that although the conviction is maintained and upheld, the sentence of substantive imprisonment is reduced to 60 days. Pending applications (including CRM-22562-2026), stand disposed of.

(ANOOP CHITKARA)
JUDGE

26.05.2026
Anju rani

Whether speaking/reasoned	YES
Whether reportable	NO