



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

CRR-3394-2025 (O&M)
Date of Decision: 06.01.2026

BALBIR SINGH

....Petitioner

Versus

BALBIR SINGH

...Respondent

CORAM: HON'BLE MR. JUSTICE PARMOD GOYAL

Present: Mr. Chetan Bansal, Advocate
for the petitioner.

Mr. Umesh Aggarwal, Advocate
for the respondent.

Parmod Goyal, J. (Oral)

Petitioner who has been convicted under Section 138 of Negotiable Instruments Act, 1881 (hereinafter referred to as 'NI Act') by present application under Section 528 of BNSS Act has sought to place on record judgment dated 19.12.2025 passed by learned Additional Sessions Judge, Ambala vide which appeal preferred by petitioner against order of conviction dated 19.12.2023 passed by learned Judicial Magistrate, First Class, Ambala was dismissed. Vide judgment of conviction and order of sentence dated 19.12.2023 petitioner was convicted under Section 138 of Negotiable Instruments Act and was awarded rigorous imprisonment of two years and pay compensation of Rs.12,20,000/- i.e. cheque amount. Application is allowed.

2. It is the case of petitioner that subsequent to dismissal of appeal



parties have arrived at compromise dated 29.12.2025 and have agreed to compound the offence under Section 138 of NI Act on payment of entire cheque amount. Agreement dated 29.12.2025 has been annexed as Annexure A-1 along with Civil Revision No.3394 of 2025.

3. Mr. Umesh Aggarwal, Advocate has put in appearance on behalf of respondent and has filed his power of attorney. He has admitted due execution of Annexure P-1 on behalf of complainant/respondent. It is submitted that a demand draft of Rs.6,56,000/- dated 29.12.2025 bearing No.070065 has been received today in the Court by complainant/respondent who is stated to be present in the Court. Learned counsel on instructions of complainant/respondent has stated that complainant/respondent has got no objection if offence under Section 138 of NI Act is compounded.

4. Since the matter has been compromised between the parties and cheque amount has been paid by petitioner/convict to complainant/respondent in terms of compromise Annexure P-1, offence under Section 138 of NI Act is allowed to be compounded.

5. Petitioner has further shown his willingness to pay compounding fee to the extent of 7.5% as mandated by Hon'ble Supreme Court in ***Sanjabij Tari Vs. Kishore S. Borcar & Anr***, 2025 LiveLaw (SC) 952. Let compounding fee to the extent of 7.5% of cheque amount be deposited by petitioner with Haryana State Legal Services Authority within a period of 15 days from today. Receipt thereof shall be presented before learned Trial Court. In view of compounding of offence under Section 138 of NI Act impugned judgment along with all subsequent proceedings arising



therefrom are hereby set aside. Petitioner is acquitted in terms of compounding and be released forthwith. Learned Trial Court is directed to issue release warrants forthwith on production of receipt of cost.

6. However, in case petitioner fails to deposit 7.5% of compounding fee within stipulated period, the present revision petition shall be deemed to be dismissed. Copy of order be sent to learned Trial Court for necessary compliance. Pending application(s), if any, is/are disposed of accordingly.

06.01.2026
chiranjeev

(PARMOD GOYAL)
JUDGE

Whether Speaking/Reasoned	:	Yes/No
Whether Reportable	:	Yes/No