SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			C528/2584/2026 Vijendra --Applicant **Versus** Rohit --Respondent **Hon'ble Alok Mahra, J.** Mr. Shariq Khurshid, Advocate for the applicant. Mr. Prince Chauhan, Advocate for the respondent. 2. Present C-528 application is filed with the prayer to set-aside/quash the judgment & order dated 29.03.2025 passed by learned Judicial Magistrate, Kashipur, District Udham Singh Nagar in Criminal Complaint Case No.5040 of 2017. Prayer has also been made to quash the judgment & order dated 08.10.2026 passed by learned Additional Sessions Judge, Kashipur, District Udham Singh Nagar in Criminal Appeal No.84 of 2025, on the basis of compromise between the parties. 3. Respondent filed a criminal case against the applicant under Section 138 of N.I. Act alleging that applicant borrowed money from the respondent and promised him to return the said money within a year. Thereafter, the applicant had issued a cheque to the tune of ₹9,00,000/- in favour of the respondent, which upon presentation was dishonoured. Upon

			completion of investigation, charge-sheet came to be submitted against the applicant. Subsequently, learned trial Court, vide judgment and order dated 29.03.2025, convicted the applicant for the offences punishable under Section 138 of N.I. Act and awarded sentence of simple imprisonment for a period of six months along with a fine of ₹11,10,000/-, out of which ₹11,00,000/- was directed to be paid to the respondent and ₹10,000/- was to be deposited in State Treasury, and in default of payment of fine, directed the applicant to undergo an additional simple imprisonment of one month. Aggrieved by the aforesaid judgment and order dated 29.03.2025, the applicant preferred Criminal Appeal No.84 of 2025, which was dismissed vide order dated 08.10.2026 passed by learned Additional Sessions Judge, Kashipur, District Udham Singh Nagar. 4. A Compounding Application (I.A. No. 1 of 2026) has been filed jointly by the parties seeking permission of this Court to compound the offence under Section 138 of the Negotiable Instruments Act, 1881, in view of the amicable settlement arrived at between them. 5. Applicant as well as the respondent is present in Court today, who have been duly identified by their respective learned counsel. The respondent has also filed an affidavit in support of the compounding application affirming that the dispute between the parties has been amicably resolved. 6. It is jointly submitted that all disputes, differences, and claims arising out of the subject matter of the proceedings have been amicably settled

between the parties.

7. Respondent states that he has received a sum of ₹8,50,000/- from the applicant and in view of the settlement arrived at between the parties, he does not wish to pursue the criminal proceedings any further and has no objection if the conviction, sentence and consequential proceedings arising therefrom are set aside and the offence is permitted to be compounded in accordance with law.

8. Learned State Counsel vehemently opposed the compounding application.

9. In view of the fact that the parties have voluntarily, amicably, and without any coercion or undue influence settled their dispute, the compounding application is allowed. Consequently, the offences under Section 138 of the Negotiable Instruments Act, 1881 are permitted to be compounded in terms of Section 147 of the said Act.

10. Accordingly, the criminal misc. application is allowed and the impugned judgment and orders dated 29.03.2025 and 08.10.2026, are hereby quashed. However, the present order is subject to the condition that the applicant shall deposit a cost of ₹10,000/- with the Advocates Welfare Fund maintained by the High Court Bar Association within a period of two weeks' from today. In case of failure to comply with the aforesaid condition within the stipulated time, this order shall stand recalled and the benefit of compounding shall not enure to the applicant.

(Alok Mahra, J.)
20.11.2026

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