HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Revision Petition No. 2027/2026
CNR: RJHC021022622026 | URN: CRLR / 3802U / 2026

Ghanshyam Ameriya S/o Shri Ganesh Narayan, Aged About 65 Years, R/o Plot No. 259, Shivaji Nagar, Shastri Nagar, Jaipur And Ghanshyam Ameriya (Ldc), Office Of Joint Secretary, (Elementary Education), Planning, Secretariat, Jaipur

----Petitioner

Versus

1 State Of Rajasthan, Through P.P

2 Balvir Singh S/o Bhagirath Singh, Aged About 40 Years, R/o House No. A-84, Prem Nagar, Jhotwara, Jaipur (Raj.).

----Respondents

For Petitioner(s)	:	Mr. M.I. Abbasi
For Respondent(s)	:	Mr. Jitendra Singh Rathore, PP, Mr. Aslam Khan for Mr. Yunus Khan

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HON'BLE MR. JUSTICE PRAVEER BHATNAGAR

Order

28/10/2026

1. The present revision petition under Sections 438 read with 442 of the Bharatiya Nagarik Suraksha Sanhita, 2023 has been preferred against the judgment dated 07.08.2026 passed by the learned Special Judge (Fake Currency Case), Jaipur Metropolitan-I, whereby Criminal Appeal No.20/2023 (CIS No.385/2023) filed by the accused-petitioner was dismissed and the judgment dated 19.06.2023 passed by the learned Pilot Study Special Judicial Metropolitan Magistrate (N.I. Act Cases), Jaipur Metropolitan-I, in Criminal Case No.2048/2023 (586/2016), convicting and sentencing the accused-petitioner for the offence under Section

138 of the Negotiable Instruments Act, 1881, was affirmed. The learned trial Court sentenced the accused-petitioner to undergo two years' simple imprisonment and to pay a penalty of Rs.11,80,000/-, with a further sentence of one month additional simple imprisonment in default of payment of the penalty.

2. It is contended by learned counsel for the petitioner that the parties have amicably settled their dispute and have entered into a compromise. It is further contended that in view of the aforesaid compromise, the impugned judgments dated 07.08.2026 and 19.06.2023 passed by the learned appellate Court and the learned trial Court deserve to be set aside and the petitioner deserves to be acquitted of the offence under Section 138 of the N.I. Act on the basis of the compromise.

3. Learned counsel appearing on behalf of respondent No.2-complainant submits that the parties have amicably settled their dispute and that the complainant has no objection if the conviction and sentence awarded to the petitioner are set aside on the basis of the compromise.

4. Heard and perused the material available on record.

5. Upon perusal of the record, it is revealed that both the parties have amicably settled their dispute and entered into a compromise. Furthermore, respondent No.2-complainant has expressed no objection to the matter being disposed of on the basis of the compromise.

6. Having regard to the fact that the parties have amicably settled the dispute and the complainant has no objection to the same and in light of the principle embodied under Section 147 of the N.I. Act and further considering the dictum laid down by the

Hon'ble Supreme Court in the matters of **Damodar S. Prabhu v. Sayed Babalal H., (2010) 5 SCC 663** and **Sanjabij Tari v. Kishore S. Borcar & Anr., 2025 INSC 1158**, this Court is of the opinion that the compromise deserves to be accepted.

7. However, considering the poor financial condition of the petitioner, cost as directed by the Hon'ble Supreme Court **Sanjabij Tari** (supra) is not to be levied.

8. Accordingly, the conviction and sentence awarded to the petitioner for the offence under Section 138 of the N.I. Act are set aside and the petitioner is acquitted of the said offence on the basis of the compromise. The petitioner is accordingly acquitted of the offence punishable under Section 138 of the NI act. If the petitioner is in custody, he shall be released forthwith, if not required in any other case.

9. Since the revision petition is disposed on the basis of the compromise, no order is required to be passed on the suspension of sentence application, if pending and the same stands disposed of accordingly.

10. Pending application(s), if any, also stand disposed of.

(PRAVEER BHATNAGAR),J

96/KESHAV GHIYA