

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

Cr. Revision No. 96 of 2026
Date of Decision: 12.02.2026

Sansaro Devi

...Petitioner.

Versus

Vikram Singh

..Respondent.

Coram

Hon'ble Mr. Justice Romesh Verma, Vacation Judge.

Whether approved for reporting?¹

For the petitioner: Mr. Sanjeev Kumar Suri, Advocate.

For the respondent: Ms. Kalaunta, Devi, Advocate.

Romesh Verma, Judge (Oral)

The present petition has been filed by the petitioner against the judgment of conviction and order of sentence dated 04.07.2025, passed by learned Additional Chief Judicial Magistrate, Dehra, District Kangra, H.P. in case No. 104-III/2022, titled Vikram Singh vs. Sansaro Devi, as affirmed by learned Additional Sessions Judge, Dehra, District Kangra, H.P., in Cr. Appeal No. 14-G/IX/2025, titled Sansaro Devi vs. Vikram Singh, decided on 29.11.2025, whereby present petitioner has been sentenced to undergo simple imprisonment of two years for commission of offence punishable under Section 138 of N.I.Act and compensation of Rs. 2,00,000/- was awarded against her.

2. The petitioner alongwith present revision petition filed an application under Section 147 of the N.I.Act on the basis of the compromise arrived between the parties. The compromise deed dated 04.02.2026 is signed by son of the present petitioner, namely, Mr. Rajinder Kumar and respondent. The same has been placed on record as Annexure A-1. As per the terms of compromise deed, entire cheque and compensation amount stands paid to the respondent by the son of the petitioner.

3. It has further been averred that present respondent has no objection, if the present petition is allowed and the judgment of conviction and order of sentence dated 04.07.2025, passed by learned Additional Chief Judicial Magistrate, Dehra, District Kangra, H.P. in Case No. 104-III/2022, titled Vikram Singh vs. Sansaro Devi, as affirmed by learned Additional Sessions Judge, Dehra, District Kangra, H.P., in Cr. Appeal No. 14-G/IX/2025, titled Sansaro Devi vs. Vikram Singh, decided on 29.11.2025, are quashed and set-aside and have further no objection, if the present petitioner, who is presently undergoing sentence at Lala Lajpat Rai, District & Open Air Correctional Home, Dharamshala, District Kangra, H.P. is released.

4. Vide separate statements of the parties, it has been agreed by both the parties that in order to maintain harmony they have compromised the matter and the present petitioner through

her son has paid the entire amount of cheque /compensation amount to the respondent-complainant, which has been acknowledged by the complainant in the compromise deed.

5. The compromise deed has been duly signed by the complainant and by son of the present petitioner and one of the witness namely, Sh. Raman Kumar, Advocate, Dehra, District Kangra, H.P. submits that both the parties have prayed to settle the matter amongst them.

6. Keeping in view the facts and circumstances of the present case, and particularly in view of the compromise effected between the parties, which is evident from the record, supported by the statements made by the parties, this Court deems it fit that the judgment of conviction and order of sentence passed by learned Additional Chief Judicial Magistrate, Dehra, District Kangra, H.P. in case No. 104-III/2022, titled Vikram Singh vs. Sansaro Devi, as affirmed by learned Additional Sessions Judge, Dehra, District Kangra, H.P., in Cr. Appeal No. 14-G/IX/2025, titled Sansaro Devi vs. Vikram Singh, decided on 29.11.2025 are quashed and set aside, and the petitioner is acquitted of the offence under challenge. It is made clear that the parties shall remain bound by the terms and conditions of the compromise, and any violation thereof shall be viewed seriously in accordance with law.

7. The Hon'ble Apex Court in ***Cr. Appeal No. 1755 of 2010***, titled ***Sanjabij Tari Vs. Kishore S. Bor Car and another, in para No. 38*** held as under:

"38. Since a very large number of cheque bouncing cases are still pending and interest rates have fallen in the last few years, this Court is of the view that it is time to 'revisit and tweak the guidelines'. Accordingly, the aforesaid guidelines of compounding are modified as under:-

(a) If the accused pays the cheque amount before recording of his evidence (namely defence evidence), then the Trial Court may allow compounding of the offence without imposing any cost or penalty on the accused.

(b) If the accused makes the payment of the cheque amount post the recording of his evidence but prior to the pronouncement of judgment by the Trial Court, the Magistrate may allow compounding of the offence on payment of additional 5% of the cheque amount with the Legal Services Authority or such other Authority as the Court deems fit.

(c) Similarly, if the payment of cheque amount is made before the Sessions Court or a High Court in Revision or Appeal, such Court may compound the offence on the condition that the accused pays 7.5% of the cheque amount by way of costs.

(d) Finally, if the cheque amount is tendered before this Court, the figure would increase to 10% of the cheque amount."

8. Therefore, in view of the exposition of law as settled by the Hon'ble Apex court, the present petition is disposed of as having been compromised between the parties and the judgment of conviction and order of sentence as passed by learned Additional Chief Judicial Magistrate, Dehra, District Kangra, H.P. on 04.07.2025, in case No. 104-III/2022, titled Vikram Singh vs. Sansaro Devi, as affirmed by learned Additional Sessions Judge, Dehra, District Kangra, H.P., in Cr. Appeal No. 14-G/IX/2025, titled Sansaro Devi vs. Vikram Singh, decided on 29.11.2025 are quashed and set-aside and present petitioner is acquitted of the offences under challenge.

9. However, this order shall be, subject to the deposit of 7.5% of the cheque amount, as compounding fees, out of which 50% of the amount of compounding fee shall be deposited by the present petitioner with the Member Secretary, H.P. State Legal Services Authority, Shimla, and remaining 50% of the aforesaid amount shall be deposited with the Chief Justice Disaster Relief Fund, 2025 within a period of four weeks from today.

10. It is further clarified that if the petitioner fails to deposit the compounding fee, as ordered by this Court, within a period of four weeks, then, the present order shall be deemed to have been automatically revoked, by reviving the judgment of conviction and order of sentence dated 04.07.2025, passed by

learned trial Court and in that eventuality, she shall surrender before the learned trial Court to undergo the substantive sentence, imposed upon her, by the learned trial Court.

11. The petitioner is stated to be serving the substantive sentence at Lala Lajpat Rai, District & Open Air Correctional Home, Dharamshala, District Kangra, H.P. She is ordered to be released forthwith, if not required in any other case. Release warrants be prepared accordingly and the same be sent to the Superintendent, Lala Lajpat Rai, District & Open Air Correctional Home, Dharamshala, District Kangra, H.P.

12. A downloaded copy of this order shall be accepted by the concerned authority after verifying the same from official website of this Court.

In view of the above, the present petition is disposed of, so also the pending miscellaneous application(s), if any.

(Romesh Verma)
Vacation Judge

February 12, 2026
(Nisha)