

IN THE HIGH COURT OF JHARKHAND AT RANCHI

Filing No. Cr. Revision No. 1291 of 2026

Rajay Banerjee, aged about 48 years, son fo Late Kishor Kumar Banerjee,
resident of Bhuli Block-C, Qrtr. No.315, Near Regional Hospital, P.O. Bhuli
Nagar, P.S. Bank More, District-Dhanbad

... .. Petitioner

Versus

1. The State of Jharkhand
2. Prabhat Kumar Singh, son of D.P. Sharma, resident of Gyan Mukherjee
Road, Hirapur, P.O, P.S. & District-Dhanbad

.... Opp. Parties

CORAM: HON'BLE MR. JUSTICE PRADEEP KUMAR SRIVASTAVA

For the Petitioner : Mr. Kalyan Banerjee, Advocate
For the State : Mrs. Ruby Pandey, A.P.P.
For the O.P. No.2 : Mr. Santosh Kumar Jha, Advocate

07/Dated: 24th March, 2026

I.A. No.2266 of 2026

1. Heard Mr. Kalyan Banerjee, learned counsel for the petitioner and learned A.P.P assisted by Mr. Santosh Kumar Jha, learned counsel for the opposite party No.2.
2. The present application has been filed under section 5 of Limitation Act for condonation of delay of 2761 days in filing this criminal revision.
3. Learned counsel for the petitioner submits that the ground mentioned in the petition is appeared to be sufficient that the petitioner has gone outside for earning purpose and thereafter, Covid-19 Pandemic prevailed all over the India for about two years, thereafter, due to paucity of fund neither payment of remaining amount was made to the complainant nor any revision has been filed.
4. Having satisfied with the aforesaid reasons, the delay of 2761 days in filing of this criminal revision is condoned.
5. Accordingly, I.A. No.2266 of 2026 is disposed of.

I.A. No.2091 of 2026 & I.A. No.2093 of 2026

6. It is jointly prayed by both learned counsel for the petitioner and learned counsel for the opposite party No.2 that both the parties have amicably settled their dispute and a joint compromise petition supported with

affidavit has been filed by them. It is further submitted that the exact amount involved in this case has already been paid to the complainant, who has also accepted the same and the compromise petition filed in that behalf has also been verified by the Registry and the report is also available on record. It is further submitted that there is no doubt in the genuineness of the compromise, since the offence under section 138 of N.I. Act is compounding offence and is punishable with imprisonment for a term which may extend to two years, or with fine which may extend to twice the amount of the cheque or with both.

7. It appears that since the money has already been realized for which the whole proceeding under section 138 of N.I. Act is intended therefore, surrendering of the convict/appellant would not serve any useful purpose.
8. In view of the compromise between the parties and in the interest of justice, both I.As. are, hereby, **allowed** and the impugned judgment and order of conviction and sentence of the appellant is set aside and the appellant is acquitted from the charges. Accordingly, this criminal revision is **disposed of**.

(Pradeep Kumar Srivastava, J.)

Pappu/-

24/03/2026