



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

**CRM-11371-2026 in/and
CRR-3359-2025
Date of decision: 20.03.2026**

DINESH KUMAR ALIAS DHANESH KUMAR

...PETITIONER

V/S

HODIL SINGH

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present: Mr. Pradeep Chhoker, Advocate for the petitioner.

Mr. Baljeet Nain, Advocate for the respondent.

SUBHAS MEHLA, J. (ORAL)

CRM-11371-2026

1. This application has been filed for compounding of offence under Section 138 of Negotiable Instruments Act, 1881 (for short 'NI Act') has been filed on the basis of compromise arrived between the parties.

2. Learned counsel for the applicant/revisionist submitted that compromise has been effected between the parties and the revisionist has paid the entire compensation amount to respondent No.1.

3. Notice in the application.

4. Mr. Baljeet Nain, Advocate has put in appearance on behalf of respondent and filed his power of attorney. Learned counsel admits to the factum of compromise. Learned counsel submits that respondent has received the whole amount and in this regard his affidavit is annexed with the present petition as Annexure A-1. Learned counsel further submits that respondent has



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no objection in case, the offence under Section 138 of Negotiable Instruments Act, 1881 is compounded.

5. Heard.

6. For the reasons given in the application and in view of the fact that compromise has been effected between the parties and further respondent has received the entire amount due towards the applicant/revisionist and has no objection, in case the present application is allowed.

7. As the offences under the NI Act are compoundable as per the provisions of Section 147 of NI Act which is reproduced as under:-

“147. Offences to be compoundable.— Notwithstanding anything contained in the Code of Criminal Procedure, 1973 (2 of 1974), every offence punishable under this Act shall be compoundable.”

8. The offence under Section 138 of NI Act as a “Civil Sheep” in “Criminal Wolfs Clothing” which means issues agitated by the parties under the said provision are of private nature which are brought within the sweep of criminality jurisdiction in order to strengthen the credibility of the NI Act. The Hon’ble Apex Court in ***Gian Chand Garg vs. Harpal Singh, SLP (Crl.) No.8050 of 2025, decided on 11.08.2025*** held that it is very clear that although dishonour of cheque entails criminal consequence, the legislature by virtue of section 147 of the NI Act has made it compoundable notwithstanding the provisions of the Code of Criminal Procedure, 1973 and the same can be compounded at any stage of the proceedings especially although dishonour of cheque entails criminal consequence, the legislature by virtue of section 147 of the NI Act has made it compoundable notwithstanding the provisions of the



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Code of Criminal Procedure, 1973 and the same can be compounded at any stage of the proceedings especially when the parties have themselves arrived at a voluntary compromise. Further, the Court observed that once the complainant has signed the compromise deed accepting the amount in full and final settlement of the default sum the proceedings under Section 138 of the NI Act cannot hold water, therefore, the concurrent conviction rendered by the Courts below has to be set-aside.

9. While exercising powers under Section 528 of BNSS and in view of the afore-stated position, the present application is allowed and the main case is ordered to be taken on board today itself.

CRR-2741-2025

1. This revision petition has been filed for quashing of the judgment of conviction and order of sentence dated 15.01.2019 passed by learned Additional Chief Judicial Magistrate, Rewari in case bearing CIS No.NACT/608/2016 as well as the judgment dated 11.11.2025 passed by learned Additional Sessions Judge, Rewari in Criminal Appeal bearing CRA No.37 of 2019, on the basis of compromise arrived at between the parties.

2. Keeping in view of the fact that application for compounding of offence has been allowed, and the factum of compromise is manifested from the material and respondent has received the entire amount due towards the revisionist i.e. accused and has no objection, in case the impugned judgment and order of sentence be set-aside, the present petition is allowed. Offence under Section 138 of NI Act stands compounded subject to a cost of 7.5% of the amount in question i.e. Rs.18,750/- of Rs.2,50,000/- to be deposited by



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accused in District Legal Services Authority (DLSA) concerned within a period of 15 days from the date of receipt of certified copy of this order. Receipt thereof shall be presented before the learned trial Court. Accordingly, impugned judgments along with all subsequent proceedings arising therefrom are hereby set-aside. The revisionist is acquitted of the notice of accusation served upon him.

3. The trial Court/successor Court is directed to issue release warrants of revisionist, after production of receipt of cost, as stated above, forthwith.

4. It is made clear that in case, the revisionist fails to deposit 7.5% of the compounding fee as aforesaid and to produce the receipt thereof, within the stipulated period i.e. 15 days, the relief granted in this order shall be deemed to be withdrawn.

5. A copy of this order be sent to learned trial Court/successor Court for necessary compliance.

6. Jail authorities are directed to release the revisionist, if he is not required in any other case.

March 20, 2026
manisha

(SUBHAS MEHLA)
JUDGE

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| (i) | Whether speaking/reasoned | Yes/No |
| (ii) | Whether reportable | Yes/No |