

**HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR**

S.B. Criminal Revision Petition No. 486/2026

CNR: RJHC010300342026

URN: CRLR / 1083U / 2026

Bhanwar Lal S/o Sri Krishan, Aged About 35 Years, R/o
Nokha,istrict Bikaner And Jaisinghdesar Magra,tehsil Nokha,
District Bikaner,rajasthan Lodged In Ditrect Jail, Bikaner

-----Petitioner

Versus

1. State Of Rajasthan, Through PP
2. Ramswroop S/o Shankar Lal, R/o Village Kudsu,tehsil
Nokha, District Bikaner, Rajasthan

-----Respondents

For Petitioner(s)	:	Mr. Bhagirath R. Bishnoi Mr. Hemant Jangir
For Respondent(s)	:	Mr. Shriram Choudhary, PP Mr. Jagdish Bhadu, for respondent No.2

HON'BLE MR. JUSTICE KULDEEP MATHUR

Order

08/07/2026

1. The petitioner was convicted for the offence under Section 138 of the N.I. Act by the learned Judicial Magistrate, Nokha, Bikaner vide judgment dated 03.12.2014 and the appeal preferred against the said judgment of conviction was dismissed by the learned Additional Sessions Judge, No.04, Bikaner vide judgment dated 06.05.2017. The judgments passed by the learned courts below are assailed in this revision petition under Section 397/401 of Cr.P.C..

2. The compromise deed dated 28.04.2026 annexed with the

case file clearly reflects that the dispute between the parties has already been settled and the petitioner has deposited the entire due amount with the private respondent. The offence under Section 138 of the N.I. Act is compoundable as per Section 147 of the N.I. Act.

3. In this background and considering the fact that the parties have entered into a compromise, the revision petition is allowed and the petitioner's conviction is set aside while compounding the offence. The impugned judgment dated 06.05.2017 passed by the learned Additional Sessions Judge, No.04, Bikaner in Criminal Appeal No.31/2016 affirming the judgment dated 03.12.2014 passed by the learned Judicial Magistrate, Nokha, Bikaner in Criminal Case No.243/2012 whereby the petitioner was convicted and sentenced for the offence under Section 138 of the N.I. Act are hereby quashed and set aside. The petitioner is acquitted from the charges. However, since the dispute has been resolved after long lapse of time and the precious time of the Courts have been spent by the parties, thus, in light of the Supreme Court Judgment in the case of **Damodar S. Prabhu Vs. Sayed Babulal H., reported in AIR 2010 SC 1907** it is deemed appropriate to impose a cost of Rs.5,000/- upon the petitioner.

4. The petitioner is directed to deposit a cost of Rs.5,000/- with the Rajasthan High Court Lawyers Association, Jodhpur. It is further made clear that if the cost of proceedings i.e. Rs.5,000/- is not deposited by the petitioner, the judgment of conviction and order of sentence passed by the learned trial court shall be

rejuvenated without any reference to the Court.

5. All pending applications, if any, stand disposed of.

(KULDEEP MATHUR),J

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