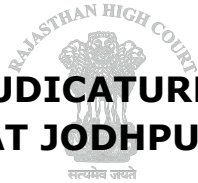


**HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR**



S.B. Criminal Revision Petition No. 680/2026

CNR: RJHC010396412026

URN: CRLR / 1487U / 2026

Dinesh Kumar S/o Sh. Sawai Lal, Aged About 55 Years, Badi Sadri, Chittorgarh Currently R/o 60, Shiv Colony Swami Nagar, Tekri Madri Link Road, Shiv Mandir, Udaipur, Raj.

----Petitioner

Versus

1. State Of Rajasthan, Through Pp
2. Udgham Commercial Ltd, Through Branch Manager/ Authorized Signatory Tolchand Joshi S/o Sh. Jaswant Ram Joshi, Regional Office At D-35 A, Subhash Marg, Near Ahinsa Cricle, C Scheme Jaipur Lodal Add. 3Rd Floor, 2C Madhubani Madhuban, Udaipur

----Respondents

For Petitioner(s)	:	Mr. Ojas Shakdwipeeya
For Respondent(s)	:	Mr. Ramesh Dewasi, PP Mr. Rahul Kotwal Mr. Bhavesh Vasita for respondent No.2

HON'BLE MR. JUSTICE KULDEEP MATHUR

Order

06/07/2026

1. For the reasons mentioned in the application (I.A. No.01/2026) seeking condonation of delay in filing the present criminal revision petition, the same is therefore allowed.
2. Delay in filing the present criminal revision petition is condone.
3. The petitioner was convicted for the offence under Section 138 of the N.I. Act by the learned Special Judicial Magistrate (NI Act) No.04, Udaipur vide judgment dated 17.08.2023 and the

appeal preferred against the said judgment of conviction was dismissed by the learned Special Judge, SC/ST Act Cases, Udaipur vide judgment dated 27.05.2024. The judgments passed by the courts below are assailed in this revision petition under Section 397 read with Section 401 of the Cr.P.C.

4. The compromise deed dated 24.09.2025 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 respondents. The offence under Section 138 of the N.I. Act is compoundable as per Section 147 of the N.I. Act.

5. 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 27.05.2024 passed by the learned learned Special Judge, SC/ST Act Cases, Udaipur in Appeal No.395/2023 affirming the judgment dated 17.08.2023 passed by the learned Special Judicial Magistrate (NI Act) No.04, Udaipur in Criminal Case No.9982/2014 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.

6. 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.

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

(KULDEEP MATHUR),J