

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

S.B. Criminal Revision Petition No. 943/2026

Shyam Lal Sisodia S/o Sh.kisturi Lal, Aged About 35 Years,
Resident Of 101, Indira Colony, Tehsil District Pali

----Petitioner

Versus

Dhanlaxmi Credit Cooperative Society, Pali, Through The Then
Secretary Anil Chouhan S/o Shri Vijay Kumar, 1-B-2, Purana
Housing Board, Pali.

----Respondent

For Petitioner(s) : Mr. R.C. Joshi

For Respondent(s) : Mr. Ramesh Dewasi, PP

HON'BLE MR. JUSTICE KULDEEP MATHUR

Order

03/07/2026

1. The petitioner was convicted for the offence under Section 138 of the N.I. Act by the learned Special Judicial Magistrate (NI Act) No.01, Pali vide judgment dated 21.09.2023 and the appeal preferred against the said judgment of conviction was dismissed by the learned Sessions Judge, Pali vide judgment dated 24.02.2026. The judgments passed by the courts below are assailed in this revision petition under Section 438/442 of BNSS.

2. The compromise deed dated 09.04.2026 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 respondents. 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 24.02.2026 passed by the

learned Sessions Judge, Pali in Criminal Appeal No.88/2023 affirming the judgment dated 21.09.2023 passed by the learned Special Judicial Magistrate (NI Act) No.01, Pali in Criminal Case No.1546/2017 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.

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.

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

(KULDEEP MATHUR),J