

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

S.B. Criminal Revision Petition No. 1067/2024

Kamla W/o Hari Singh, Aged About 48 Years, Near Bijarniyon Ki Dhani, Chhoti Losal, Tehsil And Distt. Sikar, At Present R/o Rampura Road, Losal Distt. Sikar (Raj.)

-----Petitioner

Versus

1. State Of Rajasthan, Through Pp
2. Vijay Ratan Soni S/o Navratan Soni, In Front Of Purana Power House, Deedwana, Distt. Deedwana-Kuchaman, Proprietor M/s Shri Vicky Jewelers Lahotiyon Ki Gali, Sadar Bazar Deedwana.

-----Respondents

For Petitioner(s)	:	Mr. Vikas Godara Mr. Bhola ram
For Respondent(s)	:	Mr. NS Chandawat, PP Mr. Mayank Bhaiya

HON'BLE MR. JUSTICE FARJAND ALI

Order

09/02/2026

1. By filing the instant criminal revision petition, the petitioner is challenging the judgment dated 11.07.2024 passed by the learned Additional Sessions Judge, Deedwana in Criminal Appeal No.33/2022 affirming the judgment dated 19.09.2022 passed by the learned Additional Chief Judicial Magistrate, Deedwana in Criminal Regular Case No.350/2018, whereby, the petitioner was convicted for the offence under Section 138 of the Negotiable Instruments Act and was sentenced to undergo simple imprisonment of one year and further ordered to pay fine of Rs.8,87,000/- and in default of payment of fine, further to undergo simple imprisonment of 3 months.

2. Briefly stated, facts of the case are that the petitioner was prosecuted for committing an offence under Section 138 of the Negotiable Instruments Act. After completion of trial, he was found guilty and thus, was convicted and sentenced by the learned trial Court. The judgment of conviction was assailed by the petitioner by way of filing a criminal appeal but the same has been dismissed vide judgment dated 11.07.2024, hence the present revision petition has been filed.

3. The parties have entered into a compromise and have settled the dispute amicably. Copy of Compromise deed has been placed on record. Parties have resolved the dispute since the petitioner has paid the due amount satisfying the respondent-claimant. As per Section 147 of the N.I. Act, an offence under Section 138 of the N.I. Act is compoundable without taking permission of the court. Thus, it is jointly prayed that the judgment of conviction as well as the order of appeal be quashed and set aside.

4. Heard learned counsel for the parties. Perused the material available on record and gone through both the judgments.

On 30.01.2026 both the parties made a joint request that they have entered into compromise. The compromise deed is also on record wherein it is recited that the parties have resolved their dispute amicably and the complainant does not wish to continue the proceedings.

5. Since the precious time of the court has been wasted in the entire criminal proceedings and now, the parties have arrived at a compromise at a belated stage, therefore, this Court directed the

parties to deposit a sum of Rs.30,000/- in welfare fund and today, a receipt has been shown to this Court as per which Rs.30,000/- has been deposited in Police Welfare Fund, Police Commissionerate, Jodhpur.

6. In view of the compromise arrived at between the parties and the statutory provision in this regard and considering that the offence is bailable and law permits finding of the offence at every stage, thus the petition deserves to be allowed. The judgment of conviction and order of sentence dated 19.09.2022 passed by the learned Additional Chief Judicial Magistrate, Deedwana in Criminal Regular Case No.350/2018 and affirmed by appellate court vide order 11.07.2024 passed by the learned Additional Sessions Judge, Deedwana in Criminal Appeal No.33/2022, are quashed and set aside. The accused is acquitted from the charges.

7. The petitioner is not in judicial custody. He need not surrender. His bail bonds are discharged. If after judgment of appeal, warrant has been issued against the petitioner, then the same shall be withdrawn forthwith.

8. The stay petition is also disposed of.

(FARJAND ALI),J