

**IN THE SUPREME COURT OF INDIA**  
**CRIMINAL APPELLATE JURISDICTION**  
**CRIMINAL APPEAL NO. \_\_\_\_\_ OF 2025**  
**(Arising out of SLP(CrI.) No.8508 of 2025)**

**RADHESHYAM SHARMA**

**APPELLANT**

**VERSUS**

**SURESH SINGH SIKARWAR**

**RESPONDENT**

**O R D E R**

Heard learned counsel for the parties.

2. Leave granted.

3. The present matter arises out of a proceeding under the Negotiable Instruments Act, 1881 (for short, the "N.I. Act"), which was filed by the respondent/complainant against the appellant relating to non-encashment of a cheque issued by the appellant to the respondent for a sum of Rs.1,35,000/ (Rupees One Lakh Thirty Five Thousand). The Trial Court vide its order dated 28.01.2011 has acquitted the appellant from the charge under Section 138 of the N.I. Act. Thereafter, the respondent moved in an appeal before the High Court, where the High Court vide its impugned judgment dated 28.11.2024 has convicted the

appellant under Section 138 of the N.I. Act and sentenced him to undergo Rigorous Imprisonment (for short, "R.I.") of one year along with a fine of Rs.2,70,000/- (Rupees Two Lakhs Seventy Thousand), and in default to undergo further 2 months R.I. which is impugned in the present proceeding.

4. Learned counsel for the appellant submitted that though the order of the Trial Court is correct and the High Court has erred in reversing the said order but to save the agony of prolonged litigation and uncertainty, the appellant is agreeable to pay the fine amount and the offence be compounded. He further submits that an amount of Rs.2,70,000/- (Rupees Two Lakhs Seventy Thousand) is already deposited before the Registry of this Court.

5. Learned counsel for the respondent submits that he has no personal grievance against the appellant and is agreeable to compounding the offence and the Court may direct for release of the amount deposited by the appellant before the Registry along with whatever interest that may have accrued on the said sum.

6. Having considered the matter in its entirety, the offence in the present case stands compounded in terms of Section 147 of the N.I. Act. The conviction as well as the sentence, as imposed by the High Court is set aside and the appellant stands acquitted of the charge under Section 138 of the N.I. Act.

7. Registry is directed to transfer the amount of Rs.2,70,000/- (Rupees Two Lakhs Seventy Thousand), which has been deposited by the appellant, into the account of the respondent along with whatever interest that may have accrued on it, upon application

filed by the respondent disclosing his account number and Identity Proof, within a period of one month from today after adopting the normal procedure in such matters.

8. The appeal stands disposed of in the aforementioned terms.

9. Pending application(s), if any, shall also stand disposed of.

.....J.  
[AHSANUDDIN AMANULLAH]

.....J.  
[S.V.N. BHATTI]

**NEW DELHI**  
**21<sup>st</sup> AUGUST, 2025**

ITEM NO.20

COURT NO.12

SECTION II-E

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Crl.) No(s).8508/2025

[Arising out of impugned final judgment and order dated 28-11-2024 in CRA No.1008/2013 passed by the High Court of Madhya Pradesh at Gwalior]

RADHESHYAM SHARMA

Petitioner(s)

VERSUS

SURESH SINGH SIKARWAR

Respondent(s)

(IA No. 114856/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 114858/2025 - EXEMPTION FROM FILING O.T.)

Date : 21-08-2025 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE AHSANUDDIN AMANULLAH

HON'BLE MR. JUSTICE S.V.N. BHATTI

For Petitioner(s) Mr. Anukul Raj, Adv.  
Mr. Ankit Mishra, Adv.  
Mr. Shantanu Krishna, AOR  
Mrs. Nikita Raj, Adv.  
Mrs. Kanupriya Mishra, Adv.  
Mr. Tushar Balla, Adv.

For Respondent(s) Mr. Pranjal Kishore, AOR  
Mr. Sourav Singh Tomar, Adv.

UPON hearing the counsel the Court made the following  
O R D E R

Leave granted.

2. The appeal stands disposed of in terms of the signed order.

3. Pending application(s), if any, shall also stand disposed of.

(SAPNA BISHT)

COURT MASTER (SH)

(Signed order is placed on the file)

(ANJALI PANWAR)

COURT MASTER (NSH)