



IN THE HIGH COURT OF KARNATAKA AT BENGALURU
DATED THIS THE 19TH DAY OF DECEMBER, 2025
BEFORE
THE HON'BLE MR. JUSTICE RAVI V HOSMANI
CRIMINAL REVISION PETITION NO. 931 OF 2023

BETWEEN:

SRI. GOPALA KRISHNA REDDY,
S/O PAPAIAH REDDY,
AGED ABOUT 40 YEARS,
R/A NO.64, 8TH BLOCK,
KORMANGALAL VILLAGE,
OPP. TO GOVERNMENT SCHOOL,
LAKSHMI TEMPLE ROAD,
BEGNALURU - 560 095.

...PETITIONER

(BY SRI SHAHNAWAZ M. MAMADAPUR, ADVOCATE)

AND:

SRI SUNIL A.,
S/O ANAND REDDY,
AGED 30 YEARS,
R/A NO. 348,
KORMANGALA VILLAGE,
BENGALURU - 560 095.

...RESPONDENT

(BY SRI SHIVASHANKARAPPA, ADVOCATE)

Digitally signed by
GEETHAKUMARI
PARLATTAYA S

Location: High
Court of
Karnataka

THIS CRL.RP IS FILED U/S 397 R/W 401 CR.PC BY THE ADVOCATE FOR THE PETITIONER PRAYING THAT THIS HONOURABLE COURT MAY BE PLEASED TO SET ASIDE THE SENTENCE AGAINST THE PETITIONER PASSED IN C.C.NO.9690/2017 ON THE FILE OF THE VI ADDL.JUDGE COURT OF SMALL CAUSES AND A.C.M.M, BENGALURU DATED 28.11.2019 AND THE JUDGMENT DATED 05.04.2023 PASSED IN CRL.A.NO.42/2020 BEFORE THE LXXV ADDL.CITY CIVIL AND SESSIONS JUDGE, THEREBY ACQUITTING THE PETITIONER.

THIS PETITION, COMING ON FOR FINAL HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE RAVI V HOSMANI



ORAL ORDER

Challenging judgment dated 05.04.2023 passed by LXXV Additional City Civil and Sessions Judge, Bangalore (CCH-76), in Crl.A.no.42/2020 confirming judgment of conviction and order of sentence dated 28.11.2019 passed by VI Additional Judge, Court of Small Causes and Additional Chief Metropolitan Magistrate, Bengaluru, in C.C.no.9690/2017, this revision petition is filed.

2. Learned counsel for parties submitted that during pendency of revision petition, parties have entered into settlement, wherein petitioner/accused has agreed to pay Rs.3,02,500/- (Rupees Three Lakhs Two Thousand Five Hundred only) in full and final settlement towards respondent/complainant's claim under cheque in question and a Joint Memo is filed to said effect, which reads as follows:

"JOINT MEMO

- 1. It is submitted that Petitioner was convicted by Honorable VI Additional Judge, Court of Small ACMM Bengaluru vide Judgment dated 28-11-2019 sentenced to pay a fine of Rs.3,55,000/- for the offence punishable u/s 138 of Negotiable Instrument Act, in default to undergo the simple imprisonment for a period of 3 months. The Petitioner was also directed to pay an amount of Rs.5,000/-*



(out of fine amount of Rs.3,55,000/-) to the state towards prosecution expenses.

2. The above-named Petitioner and Respondent submit before this Hon'ble Court that they have agreed to put an end to the litigation on payment of the amount of Rs.3,02,500/- (Rupees Three Lakh Two Thousand Five Hundred Only) paid in the following manner:

- i) Rs.1,15,000/- (Rupees One Lakh Fifteen Thousand Only) paid on this day vide DD No.014328 dated 18-12-2025 drawn on Chartered Sahakari Bank Niyamitha, Kormangala Branch Bengaluru in favour of Sunil A (Respondent herein).*
- ii) Rs.1,06,500/- (Rupees One Lakh Six Thousand Five Hundred Only) deposited before Trial Court vide DD No.380140 dated 17-08-2023 before the Trial Court vide Q.No.1282/23 R/O No.4943/23 before the Trial Court as per the order dated 31-07-2023 of this Hon'ble Court.*
- iii) Rs.71,000/- (Rupees Seventy One Thousand Only) deposited before Trial Court vide DD No.008388 dated 14-02-2020 before the Trial Court as Interim compensation.*
- iv) Rs.10,000/- (Rupees Ten Thousand Only) paid to the Respondent in the Trial Court.*

3. It is submitted that the Respondent may kindly be permitted to withdraw the amount of Rs.1,06,500/-(Rupees One Lakh Six Thousand Five Hundred Only) and Rs.71,000/- (Rupees Seventy One Thousand Only) deposited by Petitioner before the lower court in CC No.9690/2017.

4. The Petitioner and Respondent No.1 most humbly submit that in view of the settlement between the parties it is most humbly prayed that the present Criminal



Revision Petition may kindly be allowed and the Judgment dated 28-11-2019 passed by Hon'ble VI Additional Judge, Court of Small ACMM Bengaluru in which the Petitioner is sentenced to pay a fine of Rs.3,55,000/- for the offence punishable u/s 138 of Negotiable Instrument Act, in default to undergo the simple imprisonment for a period of 3 months. The Petitioner was also directed to pay an amount of Rs.5,000/- (out of fine amount of Rs.3,55,000/-) to the state towards prosecution expenses, may kindly be set aside in order to meet the ends of justice and equity.

5. *The Respondent acknowledges the receipt of the amount of Rs.1,15,000/- (Rupees One Lakh Fifteen Thousand Only) paid on this day vide DD No.014328 dated 18-12-2025 drawn on Chartered Sahakari Bank Niyamitha, Kormangala Branch Bengaluru.*
6. *The Respondent No.1 has no objection to allow the top noted Criminal Revision Petition and to set aside the Judgment and order of sentence dated 28-11-2019 passed in CC No.9690/2017 by the Hon'ble VI Additional Judge, Court of Small ACMM Bengaluru which was confirmed vide judgment dated 05.04.2023 passed in Criminal Appeal No.42/2020 by the learned LXXV Additional City Civil and Sessions Judge, (CCH-76), Bengaluru, in the interests of justice and equity."*

3. Parties are present and identified by their respective counsel.

4. On interaction, parties have stated that they have been explained terms and conditions of settlement and after



understanding, they have affirmed same out of their free will and volition without there being any threat, coercion or undue influence from anybody.

5. Perused joint memo and same is taken on record.

6. In terms of settlement, this Criminal Revision Petition is **disposed of** as settled; concurrent judgment of conviction and order of sentence dated 05.04.2023 passed by LXXV Additional City Civil and Sessions Judge, Bangalore (CCH-76), in Crl.A.no.42/2020 and dated 28.11.2019 passed by VI Additional Judge, Court of Small Causes and Additional Chief Metropolitan Magistrate, Bengaluru, in C.C.no.9690/2017 are set-aside, acquitting petitioner of offence punishable under Section 138 of Negotiable Instrument Act, 1881.

Trial Court is directed to release amount in deposit in favour of complainant.

Registry to forthwith transmit TCR to Trial Court.

Sd/-
(RAVI V HOSMANI)
JUDGE