



CNR: KAHC010032422026

NC: 2026:KHC:39188  
CRL.RP No. 103 of 2026

**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**

**DATED THIS THE 28<sup>TH</sup> DAY OF JULY, 2026**

**BEFORE**

**THE HON'BLE MR. JUSTICE H.P.SANDESH**

**CRIMINAL REVISION PETITION NO. 103 OF 2026**

**BETWEEN:**

MR. N NARASIMHA REDDY  
S/O SRI MUNIRATHNAM REDDY  
AGED ABOUT 55 YEARS  
R/AT NO. 716, 19TH CROSS,  
2ND MAIN ROAD, SECTOR 2  
HSR LAYOUT, BENGALURU- 560 102.

...PETITIONER

(BY SRI. H RAMACHANDRA, ADVOCATE)

**AND:**

Digitally signed  
by DEVIKA M  
Location: HIGH  
COURT OF  
KARNATAKA

THE BANGALORE COMMERCIAL TRANSPORTERS  
CREDIT CO OPERATIVE SOCIETY LIMITED  
NO.40, 1ST CROSS, 1ST MAIN,  
CHAMRAJPETE, BENGALURU- 560 118.  
REP. BY ITS SECRETARY  
SHIVA KUMAR.

...RESPONDENT

(BY SRI. S MRUTHYUNJAYA, ADVOCATE)

THIS CRL.RP IS FILED U/S 438 R/W 442 BNSS PRAYING  
TO SET ASIDE THE IMPUGNED CONVICTION JUDGMENT  
PASSED BY THE HONBLE XXXVIII ADDL.CJM, BENGALURU  
DATED 04.02.2025 IN CC NO.7655/2024 AND CONFIRMING  
THE IMPUGNED CONVICTION JUDGMENT PASSED IN CRL.A



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NO.376/2025 BY THE HONBLE LII ADDL.CITY CIVIL AND SESSIONS JUDGE (CCH-53) BENGALURU DATED 10.12.2025 AND ETC.

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

CORAM: HON'BLE MR. JUSTICE H.P.SANDESH

**ORAL ORDER**

Heard learned counsel for revision petitioner and also the counsel appearing for respondent.

2. Having perused the material on record, there are two cases against this revision petitioner and the defence which was taken before this Court that part payment was made, to that effect, the counsel appearing for respondent files the statement of account and the said payment is made in respect of other case and not in respect of this case. However, the counsel relies upon the judgment of the Hon'ble Supreme Court in the case of ***Dashrathibhai Trikambhai Patel vs. Hitesh Mahendrabhai Patel reported in (2023) 1 Supreme Court cases 578*** and brought to the notice of this Court



the head note (c) with regard to the part payment is concerned. But with regard to the part payment in the aspect of cheque is concerned, nothing is placed on record and records also discloses that when the case was set down for cross examination, the accused was not cross examined and in two occasions the counsel for the revision petitioner only took time on payment of cost of Rs.400/- each. But when the case was set down for third time, that day also, P.W.1 was present but accused did not choose to appear before the Court. EP filed and taken as no cross. Subsequently also, no applications are filed for recalling of P.W.1 for cross examination and ultimately case was disposed of and appeal was also filed in CrI.A.No.376/2025 and the appellate Court also confirmed the judgment of the trial Court.

3. Now the counsel appearing for the revision petitioner would suggest that the matter may be remanded to the trial Court with costs since the accused



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could not able to cross examine P.W.1 and lead defence evidence.

4. Having taken note of the cheque amount is Rs.17,64.671/-, the trial Court considering the same awarded fine amount of Rs.18,00,000/- and the case was filed in the year 2024 and the same was disposed of in the year 2025. Even though opportunity was given to the revision petitioner, he was not utilized the opportunity and in view of the same, it is appropriate to set aside the order of the trial Court having taken note of the conduct of the revision petitioner, it is appropriate to impose the cost of Rs.1,50,000/- and the same is payable before the trial Court on the next date of appearance, if the amount of cost is not paid to the respondent before the trial Court, the order passed by the trial Court and affirmed by the appellate Court holds good and only on condition of payment of Rs.1,50,000/- the order is set aside and if he



fails to pay the amount on the first date of hearing before the trial Court the trial Court need not take up the matter.

5. In view of the aforesaid observation, I pass the following:

ORDER

- I. Criminal Revision Petition is ***allowed and remanded to the trial Court.***
- II. The judgment dated 04.02.2025 of the trial Court passed in C.C.No.7655/2024 and the judgment of the appellate Court dated 10.12.2025 passed in CrI.A.No.376/2025 is ***set aside***, subject to payment of cost of Rs.1,50,000/- payable on the next date of hearing i.e., on 24.08.2026. If fails to pay the cost, not to proceed in the matter.
- III. The trial Court is directed to dispose of the matter within 3 months from the date of appearance of both the parties on ***24.08.2026*** and no further time will be granted.



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- IV. Both the counsels appearing for the parties to assist the trial Court in disposal of the case within 3 months of time bound period.
- V. The parties are directed to appear before the trial Court on **24.08.2026** without expecting any notice from the Court and should voluntarily appear before the Court, without fail.

**Sd/-**  
**(H.P.SANDESH)**  
**JUDGE**

SSD  
List No.: 1 Sl No.: 42