



CNR: KAHC010065262026

NC: 2026:KHC:44752
CRL.RP No. 178 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 25TH DAY OF AUGUST, 2026

BEFORE

THE HON'BLE MR. JUSTICE VENKATESH NAIK T
CRIMINAL REVISION PETITION NO. 178 OF 2026
(397(Cr.PC) / 438(BNSS))

BETWEEN:

MR. T.K. AJITHKUMAR
PROPRIETOR, LAKSHMI ENTERPRISES,
AGED ABOUT 69 YEARS,
S/O. MR. T.K. BALAKRISHNAN,
RESIDING AT NO.39, 1038,
UDAYARESHMI KARAKKAT ROAD,
KOCHI-682016.
(PETITIONER IS NOT CLAIMING
BENEFIT AS SENIOR CITIZEN)

...PETITIONER

(BY SRI. NARENDRA DEV H N., ADVOCATE)

AND:

3M INDIA LIMITED
A COMPANY INCORPORATED UNDER
THE COMPANIES ACT, 1956
HAVING ITS OFFICE AT:
CONCORDE BLOCK, U.B. CITY 24,
VITTAL MALLYA ROAD,
BANGALORE - 560 001.
REPRESENTED HEREIN BY ITS
GENERAL MANAGER - LEGAL,
MR. MANJUNATH A. DWARKANATH

...RESPONDENT

(BY SMT. MANEESHA KONGOVI, ADVOCATE)

THIS CRL.RP IS FILED U/S 397 R/W 401 CR.PC (FILED U/S
438 R/W 442 BNSS) PRAYING TO 1.SET ASIDE THE JUDGMENT
DATED JUNE 01, 2024 PASSED BY THE COURT OF THE XXXIV
A.C.M.M BENGALURU IN C.C.NO.51103/2017 (ANNEUXRE-A) 2.SET

Digitally signed
by
NAGARATHNA
M
Location: High
Court of
Karnataka





CNR: KAHC010065262026

NC: 2026:KHC:44752
CRL.RP No. 178 of 2026

ASIDE THE JUDGMENT DATED DECEMBER 03,2025 PASSED BY THE LXXII ADDL.CITY CIVIL AND SESSIONS JUDGE, BENGALURU IN CRL.A.NO.25255/2024 (ANNEXURE-B) AND THEREBY ACQUIT THE PETITIONER OF THE OFFENCE ALLEGED AGAINST HIM UNDER SEC.138 OF N.I ACT.

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

CORAM: HON'BLE MR. JUSTICE VENKATESH NAIK T

ORAL ORDER

Learned counsel for the petitioner has filed a memo seeking withdrawal of the petition. The contents of the memo read as under:

"1. That the captioned Petition has been filed challenging the Order dated 03.12.2025 passed by the Ld. LXXII Addl. City Civil & Sessions Judge, Mayo Hall Unit in Criminal Appeal No.25255/2024, whereby the Order of the Ld. XXXIV ACMM Court, Mayo Hall Unit ("Ld. Trial Court") in C.C. No.51103/2017 was confirmed, thus convicting the Petitioner for offence under Section 138 of the Negotiable Instruments Act, 1881, in respect of Cheque No.352140 dated 15.06.2016 drawn on State Bank of India, Kochi.

2. That one Mr. Premanand and the Respondent herein have since entered Into Settlement Agreement dated 23.07.2026, whereby the disputes arising from Cheque No.352140 dated 15.06.2016, and forming subject matter of C.C. No.51103/2017, Criminal Appeal No.25255/2024 and this captioned Petition, have been settled in



CNR: KAHC010065262026

accordance with the terms of the Settlement Agreement. Therefore, the Petitioner seeks to withdraw the captioned Petition in accordance with the terms of the Settlement Agreement, copy of which is produced herewith as Document No.1.

3. That further to the settlement and the withdrawal of this Petition, this Hon'ble Court may also be pleased to permit the Petitioner to withdraw the following amounts deposited before the Ld. Trial Court:

a) The sum of Rs.20,000/- (Rupees Twenty Thousand) deposited before the Ld. Trial Court in accordance with order dated 03.01.2018 passed in C.C.No.51103/2017 as cash surety. Copy of Order dated 03.01.2018 is produced herewith as Document No.2; and

b) The sum of Rs.7,54,888/- (Rupees Seven Lakhs Fifty Four Thousand Eight Hundred and Eighty Eight) deposited before the Ld. Trial Court in accordance with Order dated 05.09.2024 passed in Criminal Appeal No.25255/2024. Receipt of payment of the aforesaid amount is produced herewith as Document No.3.

The above submission may kindly be taken on record and the captioned Petition be dismissed as settled, permitting the Petitioner to withdraw the aforesaid amounts deposited before the Ld. Trial Court, in the Interest of justice."

2. On the other hand, learned counsel for the respondent has filed a memo, which reads as under:



CNR: KAHC010065262026

"The Respondent most humbly submits that vide Settlement Agreement dated 23.07.2026, the parties had arrived at an amicable settlement for closure of dues in relation the criminal proceedings and the cheque which is the subject of the present petition. The Settlement Agreement is silent as to the deposit made by the Appellant before the Ld. Magistrate Court. The Respondent is due and payable a principal of over INR 2.75 crores which has crystallised in the Arbitral Award dated 30.09.2019 in AC 114/2018. The Respondent submits that it has a claim to the sale deposit and reserves its rights to take appropriate action in law in respect of the said deposit including but not limited to the pending execution proceedings in Com.Ex.689/2024 before Commercial Court at Bengaluru.

WHEREFORE, it is most humbly prayed that this memo be taken on record and appropriate orders be passed, in the interest of justice and equity."

3. Learned counsel for the respondent submits that liberty may be reserved to the respondent to take appropriate action in accordance with law in respect of the amount in deposit, including but not limited to the pending execution proceedings in COM.Ex.No.681/2021 before Commercial Court at Bengaluru.



**NC: 2026:KHC:44752
CRL.RP No. 178 of 2026**

CNR: KAHC010065262026

4. Accordingly, the Criminal Revision Petition stands ***disposed of***. Insofar as the amount in deposit before the trial Court is concerned, the rights of the respondent are reserved as sought for.

5. The cash surety amount deposited by the petitioner shall be disbursed in favour of the petitioner upon proper identification.

6. Pending Interlocutory Applications, if any, shall stand disposed of.

**Sd/-
(VENKATESH NAIK T)
JUDGE**

AM
List No.: 1 Sl No.: 25