



CNR: KAHC010160362026

NC: 2026:KHC:43678
CRL.RP No. 381 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 13TH DAY OF AUGUST, 2026

BEFORE

THE HON'BLE MR. JUSTICE VENKATESH NAIK T
CRIMINAL REVISION PETITION NO. 381 OF 2026

BETWEEN:

D.R. MANJUNATH
S/O D.H. RANGASWAMY
AGED ABOUT 43 YEARS
R/AT NO.75, DONKEHALLY
D. KALKERE POST
VIA MAYASANDRA
TURUVEKERE TALUK
TUMKUR DISTRICT - 572 221.

...PETITIONER

(BY SRI. KRISHNA MURTHY N, ADVOCATE)

AND:

SMT. T. ASHWATHAMMA
W/O T. RANGAPPA
AGED ABOUT 68 YEARS
R/AT DODDASHETTYKERE GATE
FARM HOUSE, DODDASHETTYKERE VILLAGE
MAYASANDRA HOBLI
TURUVEKERE TALUK,
TUMKUR DISTRICT - 572 221.

...RESPONDENT

(BY SRI. SRINIVASA M.G, ADVOCATE)

THIS CRL.RP IS FILED U/S 397 R/W 401 OF CR.P.C (U/S 438 R/W 442 BNSS) PRAYING TO a) SET ASIDE THE ORDER OF CONVICTION AND SENTENCE DTD 03.02.2025 CONVICTING THE PETITIONER FOR THE OFFENCE P/U/S 138 OF N.I ACT.

Digitally signed
by
ANNAPURNA
G
Location: High
Court of
Karnataka



CNR: KAHC010160362026

NC: 2026:KHC:43678
CRL.RP No. 381 of 2026

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

CORAM: HON'BLE MR. JUSTICE VENKATESH NAIK T

ORAL ORDER

The petitioner filed this petition under Section 438 read with 442 of the Bharatiya Nagarik Suraksha Sanhita, 2023 challenging the concurrent findings recorded by the Trial Court and the First Appellate Court.

2. Learned counsel for the petitioner filed application under Section 147 of the Negotiable Instruments Act, 1881 read with Section 401 of the Code of Criminal Procedure, 1973, seeking to set aside the order of conviction and sentence in view of the settlement and full payment of the amount, which reads as under:

The Petitioner above named most respectfully submits as follows:

1. The Petitioner has preferred the above Criminal Revision Petition challenging the judgment of conviction and order of sentence dated 03.02.2025 passed by the learned Senior Civil Judge and JMFC, Turuvekere, in C.C. No.3356/2021, whereby the Petitioner was convicted for the offence punishable under Section 138 of the Negotiable Instruments Act, 1881.

2. Being aggrieved by the said judgment of conviction and sentence, the Petitioner preferred Criminal Appeal No.10005/2025 before the learned V Additional District and Sessions Judge, Tiptur. The said appeal came



CNR: KAHC010160362026

to be disposed of by judgment dated 28.11.2025, confirming the judgment of conviction and sentence passed by the learned Trial Court.

3. The Petitioner has thereafter preferred the present Criminal Revision Petition before this Hon'ble Court challenging the aforesaid judgments of conviction and sentence.

4. During the pendency of the present proceedings, the parties have amicably settled the dispute. In terms of the settlement and towards full and final satisfaction of the amount payable to the Respondent/Complainant, the Petitioner has agreed to pay the balance amount as arrived at between the parties.

5. It is respectfully submitted that this Hon'ble Court, by its order dated 29.07.2026, was pleased to record the submission of the learned counsel for the Petitioner seeking two weeks' time to pay the balance amount of Rs.14,54,668/-, after deducting the amount of Rs.9,80,000/-, which had not been considered by the learned Trial Court while passing the order.

6. In compliance with the aforesaid order dated 29.07.2026, the Petitioner has now arranged and tendered the entire balance amount of Rs.14,54,668/- (Rupees Fourteen Lakhs Fifty-Four Thousand Six Hundred and Sixty-Eight only) by way of Demand Draft bearing No. 019695 dated 12.08.2026 drawn on THE MALLSHWARAM CO-OPERATIVE BANK, in favour of the Respondent/Complainant (T ASHWATHAMMA), There are no further claims.

7. The said Demand Draft is being produced before this Hon'ble Court and is tendered towards full and final settlement of the amount payable under the subject transaction/complaint.

8. Thus, the entire amount mutually agreed upon between the parties has been paid/tendered by the Petitioner and the dispute between the Petitioner and the Respondent has been amicably resolved.

9. The Respondent/Complainant has agreed to accept the aforesaid amount towards full and final settlement of the claim and has no objection to the present



CNR: KAHC010160362026

proceedings being disposed of in terms of the settlement and to the judgment of conviction and order of sentence being set aside.

10. The offence under Section 138 of the Negotiable Instruments Act is compoundable in terms of Section 147 of the Negotiable Instruments Act, 1881. In view of the voluntary settlement between the parties and the payment/tender of the entire settled amount, continuation of the conviction and sentence would serve no useful purpose.

11. The Petitioner has complied with the order dated 29.07.2026 in its true spirit by tendering the entire balance amount of Rs.14,54,668/- by Demand Draft in favour of the Respondent.

12. The present application is therefore being filed bona fide and in the interest of justice, equity and to give effect to the settlement arrived at between the parties.

13. In view of the settlement and full satisfaction of the monetary claim of the Respondent, the Petitioner humbly submits that the judgment of conviction and order of sentence dated 03.02.2025 passed in C.C. No.3356/2021, as confirmed by the judgment dated 28.11.2025 passed in Criminal Appeal No. 10005/2025, may kindly be set aside.

WHEREFORE, the Petitioner most respectfully prays that this Hon'ble Court may be pleased to take on record the Demand Draft for Rs.14,54,668/- tendered towards full and final settlement, and consequently set aside the judgment of conviction and order of sentence dated 03.02.2025 passed in C.C. No.3356/2021, as confirmed in Criminal Appeal No.10005/2025 dated 28.11.2025, in the interest of justice and equity.

3. In view of the settlement, the petitioner tendered demand draft for Rs.14,54,668/- towards the full and final settlement and the learned counsel for the respondent acknowledges the receipt of the demand draft.



NC: 2026:KHC:43678
CRL.RP No. 381 of 2026

CNR: KAHC010160362026

4. In view of the settlement arrived between the parties as stated in the application, this Court passes the following:

ORDER

1. The criminal revision petition stands ***disposed of***;
2. The judgment of conviction and order of sentence dated 03.02.2025 passed in C.C.No.3356/2021 by the Senior Civil Judge and JMFC, Turuvekere, which is confirmed by the V Additional District and Sessions Judge, Tumkur (Sitting at Tiptur) in Crl.A.No.10005/2025 dated 28.11.2025 is hereby set aside;
3. The amount in deposit shall be released in favour of the respondent on proper identification.
4. Pending applications, if any, shall stands disposed of.

Sd/-
(VENKATESH NAIK T)
JUDGE

HDK