



CNR: KAHC010218522026

NC: 2026:KHC:45433
CRL.RP No. 517 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF AUGUST, 2026

BEFORE

THE HON'BLE MR. JUSTICE VENKATESH NAIK T

CRIMINAL REVISION PETITION NO.517 OF 2026

BETWEEN:

SRI APPAYANNA N.
S/O LATE NARAYANAPPA,
AGED ABOUT 76 YEARS,
RESIDING AT NO.983, VIJINAPURA,
DOORAVANI NAGAR POST,
BENGALURU-560 016.

...PETITIONER

(BY SRI K. VISHWANATHA, ADVOCATE)

AND:

SRI ABDUL ALEEM
S/O. LATE ABDUL RASHEED,
AGED ABOUT 75 YEARS,
RESIDING AT SKYLINE MANOR APARTMENT,
FLAT NO.003, NO.7, BRIDE STREET,
LANGFORD ROAD, RICHMOND TOWN,
BENGALURU-560 025.

...RESPONDENT

(BY SMT. ASHA K., ADVOCATE, FOR SRI SRINIVASAN V.)

* * *

THIS CRIMINAL REVISION PETITION IS FILED UNDER SECTION 397 READ WITH 401 OF THE CODE OF CRIMINAL PROCEDURE, 1973, PRAYING TO SET ASIDE THE JUDGMENT OF CONVICTION AND SENTENCE PASSED BY THE XV ADDITIONAL SMALL CAUSES JUDGE AND XXIII ADDITIONAL CHIEF JUDICIAL MAGISTRATE, MAYO HALL UNIT, AT BENGALURU, IN CRIMINAL CASE NO.51277 OF 2021 DATED 03.07.2024 AND THE JUDGMENT OF THE LXXIII ADDITIONAL CITY CIVIL AND SESSIONS JUDGE, MAYO HALL UNIT, BENGALURU CITY (CCH-74) IN CRIMINAL APPEAL NO.25283 OF 2024 DATED 24.01.2026, FOR THE OFFENCE UNDER SECTION 138 OF THE NEGOTIABLE INSTRUMENTS ACT, 1881, BY ALLOWING THE CRIMINAL REVISION PETITION, AND ACQUIT THE PETITIONER/ ACCUSED.

Digitally
signed by
RAKSHA
Location:
High Court
of Karnataka



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

CORAM: HON'BLE MR. JUSTICE VENKATESH NAIK T

ORAL ORDER

The petitioner, the respondent and their respective learned counsel are present.

2. This revision petition is filed by the petitioner-accused seeking to set aside the judgment of conviction and order on sentence dated 03.07.2024 passed by the XV Additional Small Causes Judge and XXIII Additional Chief Judicial Magistrate, Court of Small Causes, (SCCH-19), Mayo Hall Unit, Bengaluru, in Criminal Case No.51277 of 2021 which was upheld by the LXXIII Additional City Civil and Sessions Judge, Mayo Hall Unit, Bengaluru (CCH-74), in Criminal Appeal No.25283 of 2024 dated 24.01.2026, for the offence punishable under Section 138 of the Negotiable Instruments Act, 1881.

3. During pendency of the revision petition, the parties have settled their dispute and have filed a joint memo, which reads as under:



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"JOINT MEMO

**THE PETITIONER/ACCUSED AND
COMPLAINANT/RESPONDENT IN THE
ABOVE CASE HEREBY SUBMITS AS
FOLLOWS:**

1. *That the above-named complainant/respondent has filed case before Trial court against the petitioner/accused person under section 138 of NI act.*
2. *It is further submitted that due to interfere of the friends and well-wisher of the both complainant/respondent and accused/petitioner in the above case is settled outside the court as stated below.*
3. *It is further submitted that the above case is settled for a sum of Rs.3,00,000/- (Rupees Three lakhs only). As per the settlement, the petitioner/accused today paid before this Hon'ble court for sum of Rs.73,500/- (Rupees seventy-three five hundred only) the remaining amount of Rs.2,26,500/- (Rupees Two Lakhs Twenty-six thousand five hundred only) was the petitioner/accused is already deposited before Trial court as per the direction this Hon'ble court and 1st Appellate court said amount to be order for release in favour of respondent/complainant, the accused/petitioner is no objection to receive the said amount by the complainant/respondent, for which both the parties have agreed and settled the matter amicably.*

WHEREFORE, the petitioner/accused and respondent/complainant prays before this Hon'ble court is pleased to consider and record this joint memo and dispose the case in terms of Joint memo and consequently acquitted the accused/petitioner, in the interest of justice."



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4. Both the parties submit that they have settled their dispute and there is no due. Hence, the joint memo is accepted. Accordingly, the Court proceeds to pass the following

ORDER

- i. The criminal revision petition is ***allowed***.
- ii. The judgment of conviction and order on sentence dated 03.07.2024 passed by the XV Additional Small Causes Judge and XXIII Additional Chief Judicial Magistrate, Court of Small Causes, (SCCH-19), Mayo Hall Unit, Bengaluru, in Criminal Case No.51277 of 2021 and upheld by the LXXIII Additional City Civil and Sessions Judge, Mayo Hall Unit, Bengaluru (CCH-74), in Criminal Appeal No.25283 of 2024 dated 24.01.2026 are hereby set aside.
- iii. The petitioner-accused is acquitted of the offence punishable under Section 138 of the Negotiable Instruments Act, 1881.



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iv. Amount in deposit, if any, before the trial Court shall be disbursed to the respondent-complainant, on proper identification.

v. Bail bond of the petitioner-accused, if any, stands cancelled.

In view of the disposal of the revision petition, pending interlocutory application, if any, shall stand dismissed.

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

KVK
List No.: 1 Sl No.: 76