



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 14TH DAY OF JULY, 2026

BEFORE

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

CRIMINAL REVISION PETITION NO.546 OF 2026

BETWEEN:

SRI J MUNEGOWDA
S/O P JAYARAMAIAH
AGED ABOUT 56 YEARS
EX-BAGALUR CHAIRMAN
R/O BAGALUR VILLAGE
JALA HOBLI, YELAHANKA TALUK
BENGALURU – 562149

...PETITIONER

(BY SRI. PAVAN KUMAR G, ADVOCATE)

AND:

SRI N K VENKATESH
S/O KRISHNAPPA
AGED ABOUT 54 YEARS
R/AT NO.375, KOGILU LAYOUT
YELAHANKA
BENGALURU – 560064

...RESPONDENT

(BY SRI. NAVEEN KUMAR S R, ADVOCATE)

THIS CRL.RP IS FILED U/S. 397 R/W 401 OF CR.P.C (438 R/W 442 OF BNSS) PRAYING TO SET ASIDE THE ORDER DATED 05.02.2026 IN CRL.A NO.473/2024 ON THE FILE OF THE LXII ADDL. CITY CIVIL AND SESSIONS JUDGE (CCH-63) BENGALURU AND ETC.

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by DEVIKA M
Location: HIGH
COURT OF
KARNATAKA



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

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

ORAL ORDER

This revision petition is filed against the judgment of conviction dated 11.01.2024 passed in C.C.No.27864/2022 by the Trial Court and also against the judgment of confirmation dated 05.02.2026 passed in CrI.A.No.473/2024 by the Appellate Court.

2. This matter is listed for admission. Heard the learned counsel appearing for the respective parties.

3. The factual matrix of case of the complainant before the Trial Court is that he is doing contract business of constructing buildings and also doing renovation work and the accused is known to him. Accused engaged renovation work to the complainant. As per the instructions of the accused, complainant completed the said renovation work and he has raised bill to the tune of Rs.2,00,000/- and requested the accused to pay the said amount. Accused gave a cheque to the complainant towards the work done by him. When the said



cheque was presented, the same was returned with an endorsement 'funds insufficient'. Hence, the complainant issued a legal notice and the same was served on the accused but, he did not reply to the said notice or paid the amount. Hence, complaint was lodged, cognizance was taken and accused secured and he did not plead guilty.

4. In order to prove the case of the complainant, he himself examined as PW1 and got marked the documents at Ex.P1 to P7. But accused has not led defence evidence. The Trial Court taken note of both oral and documentary evidence available on record and comes to the conclusion that accused has failed to rebut the case of the complainant taking note of the decision of the Apex Court in the case of **M/s Meters and Instruments Pvt. Ltd., vs Kanchana Mehtha** reported in **(2018) 1 SCC 560**, wherein Apex Court held that the object of the provision being primarily compensatory, punitive element being mainly with the object of enforcing the compensatory element, compounding at the initial stage has to be encouraged but is not debarred at later stage subject to appropriate compensation as may be found acceptable to the parties or the



Court. Having considered the material on record, the Trial Court comes to the conclusion that accused has committed an offence punishable under Section 138 of N.I. Act and convicted him.

5. Being aggrieved by the judgment of the Trial Court, an appeal was preferred before the Appellate Court. The Appellate Court also on re-appreciation of material on record taken note of quantum of compensation and held that it is not in dispute that cheque which was bounced belongs to accused and it is also not in dispute that signature appearing on the cheque is also of the accused and no defence evidence is adduced and nothing is elicited from the mouth of PW1 during the cross-examination. Hence, confirmed the judgment of the Trial Court.

6. Being aggrieved by the concurrent finding of both the Courts, the present revision petition is filed before this Court.

7. The counsel appearing for the petitioner would vehemently contend that both the Courts have not considered the defence which was taken and the cheque was not issued in



respect of the renovation work and the same was issued in respect of the other transaction. Hence, it requires interference of this Court.

8. Having heard the counsel for the petitioner and also on perusal of the material on record, it discloses that accused has issued the subject matter of cheque towards the work done by the complainant and the same was dishonoured. Accused has not disputed the cheque as well as the signature on the same. But his only contention that the same was issued towards some other work but the same is not substantiated and not led any defence evidence and not rebutted the case of the complainant. When such being the case, I do not find any grounds to admit the revision petition. Accordingly, the petition is dismissed.

Sd/-
(H.P.SANDESH)
JUDGE

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