



CNR: KAHC010261192024

NC: 2026:KHC:54370
CRL.RP No. 640 of 2024

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 30TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MRS. JUSTICE GEETHA K.B.

CRIMINAL REVISION PETITION NO. 640 OF 2024

(397(Cr.PC) / 438(BNSS))

BETWEEN:

1. SHRUTHI A C
D/O CHANNAPPA
AGED ABOUT 33 YEARS
R/O M C H.NO. DWC 45/A
HUTHA COLONY, BHADRAVATHI-577301
SHIVAMOGGA DISTRICT

...PETITIONER

(BY SRI. P N HARISH.,ADVOCATE)

AND:

1. LILAVATHI B H
D/O HANUMANTHAPPA
AGED ABOUT 36 YEARS
R/O IDK 37/A, HUDCO COLONY
BHADRAVATHI-577301
SHIVAMOGGA DISTRICT

...RESPONDENT

(BY SRI. VIJAYAKUMARA.,ADVOCATE)

THIS CRL.RP IS FILED U/S. 397 R/W 401 CR.P.C BY THE
ADVOCATE FOR THE PETITIONER PRAYING TO 1) SET ASIDE
THE JUDGMENT AND ORDER OF CONVICTION DATED

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06.02.2024 PASSED BY THE COURT OF LEARNED IV ADDL. DIST. AND SESSIONS JUDGE, SHIVAMOGGA SITTING AT BHADRAVATHI IN CRL.A.NO.5045/2023 AND THE JUDGMENT AND ORDER OF CONVICTION DATED 06.04.2023 PASSED BY THE COURT OF LEARNED I ADDL. CIVIL JUDGE AND JMFC, BHADRAVATHI IN C.C.NO.1531/2018 CONVICTING THE PETITIONER FOR AN OFFENCE P/U/S 138 OF N.I. ACT AND THEREBY DISMISS THE COMPLAINT FILED BY THE COMPLAINANT - RESPONDENT IN C.C.NO.1531/2018, ON THE FILE OF LEARNED I ADDL. CIVIL JUDGE AND JMFC, BHADRAVATHI BY ALLOWING THIS REVISION PETITION AND ETC.,

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

CORAM: HON'BLE MRS. JUSTICE GEETHA K.B.

ORAL ORDER

1. This is the revision petition filed under Section 397 of the Code of Criminal Procedure, 1973 (in short, 'Cr.P.C.'), challenging the judgment of conviction and order of sentence dated 06.04.2023 passed in C.C.

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No.1531/2018 on the file of the I Additional Civil Judge and JMFC, Bhadravathi (in short, 'the trial Court'), confirmed in Crl.A.No.5045/2023 dated 06.02.2024, on the file of the IV Additional District and Sessions Judge, Shivamogga, sitting at Bhadravathi (in short, 'the Appellate Court').

2. Parties would be referred with their ranks, as they were before the trial Court, for the sake of convenience and clarity.
3. The complainant has filed the complaint before the trial Court under Section 200 of Cr.P.C. praying for cognizance of the offence under Sections 138 and 142 of the Negotiable Instruments Act, 1881 (in short 'NI Act') against the accused.
4. The case of the complainant in nutshell is that the accused borrowed a sum of Rs.2,50,000/- from the complainant on 08.08.2017 for her domestic purpose and to clear her hand loan, agreeing to repay the

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same within 6 months and towards repayment, she has issued the subject cheque bearing No. 455943 on the same day by putting the date as 01.02.2018, drawn on Corporation Bank, Jannapura Branch, Bhadravathi in favour of the complainant for the said sum of Rs.2,50,000/-

5. The complainant presented the same for encashment on 01.02.2018 through her banker, which was dishonoured with an endorsement 'payment stopped by the drawer' and the complainant got the intimation on 02.02.2018. Thereafter, she got issued legal notice dated 12.02.2018 to the accused through her advocate, which was served upon the accused and she has given an untenable reply dated 28.02.2018. However, she has not paid the cheque amount. Hence, she has filed the complaint on 26.03.2018.

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6. After recording the sworn statement of the complainant, the case was registered as C.C.No.1531/2018 and summons issued to the accused. After appearance of accused, she pleaded not guilty, when acquisition leveled against her was read over and explained to her. Then after completion of trial, statement of accused under Section 313 of Cr.P.C was recorded. The accused let in her defence evidence.
7. After hearing of arguments, the trial Court convicted the accused, and sentenced her to pay fine of Rs.5,00,000/-; out of which Rs.4,90,000/- shall be payable as compensation to the complainant and the remaining Rs.10,000/- shall be adjusted towards the State expenses.
8. Aggrieved by the said judgment of conviction and order of sentence, the accused filed appeal before the Appellate Court.

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9. After hearing arguments of both sides, the appeal was dismissed by confirming the judgment of conviction and order of sentence.
10. Aggrieved by the same, the revision petitioner/accused is before this Court.
11. Heard arguments of both sides.
12. The learned counsel for revision petitioner, Sri P.N.Harish would submit that there was no financial capacity for the accused to lend a sum of Rs.2,50,000/- during August 2017 as pleaded in the complaint. In this regard, he elicited in the cross examination of PW.1 that, during September 2017, she has borrowed a sum of Rs.43,000/- from Grameen Koota Financial Service Pvt. Ltd.; even earlier said date, she has borrowed a sum of Rs.10,000/- and Rs.20,000/- on two occasions from the said Grameen Koota. Further it is elicited in the cross examination of the complainant that she is not



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having any job. Her parents were not working. Her three brothers were not working and they were suffering from mental ill-health and one of them died due to epilepsy. When the complainant has no financial capacity, there is no question of she lending money to be accused. Her contention that her father had given Rs.6,00,000/- to her during her marriage is not substantiated by producing any bank documents or any other documents and her further contention that she lent Rs.2,50,000/- to PW.2 who, in turn returned the said amount to her during July 2017 is not established and this fact is disproved by the accused from the cross-examination of PWs.1 and 2. Accused had taken specific contention in her reply to legal notice and in her evidence that the cheques which were kept by her in the house to facilitate her mother to encash them, as and when needed were misused by the complainant because the complainant was often visiting their house and

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well acquainted with her mother and this misuse of cheque by the complainant is established by the accused. Accused need not prove defence beyond reasonable doubt. She has to establish it by way of principle of preponderance of probability. This factum and principle of appreciation of evidence is not at all appreciated by the trial Court and appellate Court. Even though the cheque amount is only for Rs.2,50,000/-, the trial Court has imposed double the amount of cheque as fine without assigning any reason and it is confirmed by the appellate Court without assigning any reason. Hence, prayed for allowing the revision petition.

13. The learned counsel for the respondent, Sri Vijay Kumar would submit that the complainant has established her financial capacity by examining PW2 and by giving evidence that her father has given Rs.6,00,000/- to her during her marriage which cannot be disputed by the accused. Accused is a

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habitual offender. One more criminal case is filed against her alleging the same offence by some third party; wherein also she has taken defence that the cheque issued towards chit transaction was misused by the complainant of the said case.

14. The transaction is of the year 2017 and judgment was passed in the year 2023. Considering it, the trial Court imposed double the cheque amount as fine, which is confirmed by the appellate Court which requires no interference.
15. Having heard arguments of both sides, verifying the revision petition papers, the trial Court and the Appellate Court records, the point that arises for consideration is:

"Whether the revision petitioner establishes perversity or grossly erroneousness in the judgment of the trial court and appellate court or the judgment of the trial court and appellate court is glaringly unreasonable or wholly unreliable or untenable and the judgment of the trial court and appellate court

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considered immaterial or irrelevant material or no material or non-consideration of any relevant material or judicial discretion has been exercised arbitrarily or capriciously ?"

16. The finding of this Court on above point is in **Affirmative** for the following :

REASONS

17. The revisional jurisdiction of this Court is very limited. In this regard, this Court places reliance on the Judgment of the Hon'ble Apex Court in the case of ***Kuntegowda v/s Thurubaiah in Criminal Appeal No.3654/2026, (Arising out of Special Leave Petition (Criminal) No.2247 of 2024 dated 04.08.2026***¹ . In the aforesaid judgment, the Hon'ble Apex Court at paragraph Nos.7.1. to 7.3 has discussed the revisional jurisdiction of this Court, which reads as follows:

¹ 2026 SCC Online SC 1485



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"7.1 This Court, in the State of Maharashtra vs. Jagmohan Singh Kuldip Singh Anand, (2004) 7 SCC 659 observed that the High Court, in exercise of its revisional jurisdiction, cannot embark upon an in-depth roving re-examination of the oral evidence and medical evidence and come to a conclusion contrary to the consistent one reached by two courts below. In the facts of the present case, in the impugned judgment, the High Court gravely erred in upsetting the concurrent findings of conviction of the trial court and the Appellate Court by substituting its own conclusions and reasoning on the merits of the case and thereby erred in setting aside the well-reasoned and correct judgement and orders of the trial and appellate courts.

7.2 Upon perusal of the impugned judgment and order dated 06.10.2023, it is apparent that the High Court went into great detail into each of the testimonies, documents and merits of the case which could have been avoided especially when the subject matter had come under its revisional jurisdiction. Instead, acting as an appellate Court, the High Court deemed it fit to go into the merits of the case, something which is generally impermissible unless a glaring contradiction is apparent on the face of record. In State of Kerala vs. Puttumana Illath Jathavedan Namboodiri, (1999) 2 SCC 452, while considering the scope of the revisional jurisdiction of the High Court this Court has laid down the following:

"5.... In its revisional jurisdiction, the High Court can call for and examine the record of any proceedings for the purpose of satisfying itself as to the correctness, legality or propriety of any finding,

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sentence or order. In other words, the jurisdiction is one of supervisory jurisdiction exercised by the High Court for correcting miscarriage of justice. But the said revisional power cannot be equated with the power of an appellate court nor can it be treated even as a second appellate jurisdiction. Ordinarily, therefore, it would not be appropriate for the High Court to reappreciate the evidence and come to its own conclusion on the same when the evidence has already been appreciated by the Magistrate as well as the Sessions Judge in appeal, unless any glaring feature is brought to the notice of the High Court which would otherwise tantamount to gross miscarriage of justice. On scrutinizing the impugned judgment of the High Court from the aforesaid standpoint, we have no hesitation to come to the conclusion that the High Court exceeded its jurisdiction in interfering with the conviction of the Respondent by reappreciating the oral evidence...."

7.3. The contours for exercise of revisional jurisdiction has been well settled by the judicial dicta of this Court wherein time and again it has been observed that the High Court shall not interfere with the orders of the lower court unless:

i. The order or finding of the lower court is perverse, grossly erroneous, glaringly unreasonable or wholly unreliable or untenable in law.

ii. The lower court has passed the impugned order after considering an immaterial or irrelevant material or no material at all.

iii. There is a non-consideration of any relevant material or the judicial discretion has been exercised arbitrarily or capriciously."



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18. Thus, only if the judgment of the trial Court confirmed by appellate Court is *perverse* or grossly erroneous, or grossly unreasonable, or wholly unreliable, or wholly untenable, or the trial Court considered an immaterial or irrelevant material or no material or not at all relevant material or judicial discretion has been exercised arbitrarily and capriciously, the revisional Court can interfere with such judgment.
19. The alleged offence in this case is the offence under Section 138 of NI Act; to attract the offence under Section 138 of NI Act, the complainant has to satisfy the following ingredients:
- (i) that there is legally enforceable debt;*
 - (ii) that the cheque was drawn from the account of bank for the discharge in whole or in part of any debt or other liability;*
 - (iii) that the cheque has been presented to the bank within a period of six months from the date on*

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*which it is drawn or within the period of its validity,
whichever is earlier;*

*(iv) that cheque so issued has been returned
due to insufficiency of funds;*

*(v) the payee or the holder in due course of the
cheque makes a demand for the payment of the said
amount of money by giving a notice in writing to the
drawer of the cheque, within 15 days of the receipt
of information by him from the bank regarding the
return of the cheque as unpaid;*

*(vi) the drawer of such cheque fails to make
payment of the said amount of money to the payee
or the holder in due course of the cheque within 15
days of the receipt of the said notice.*

20. If the aforementioned ingredients are satisfied, then there shall be a presumption under section 118 & 139 of the N.I. Act. Always, the cheque is a bill of exchange and thus there shall be a presumption under Section 118 of the NI Act that the cheque is drawn for consideration and the date of drawing is the date bearing in the cheque. There is also



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statutory presumption under Section 139 of NI Act that there exists legally recoverable debt and the cheque is issued for recovery of legally recoverable debt either wholly or in part. But the presumptions available under Section 118 and 139 of the NI Act are rebuttable presumptions.

21. With this background, the facts of the present case are to be analysed and to verify whether the trial Court and the Appellate Court have not examined the records produced by either party or erroneously appreciated the evidence.
22. It is the contention of the complainant that the accused has borrowed a sum of Rs.2,50,000/- from the complainant on 08.08.2017 and to repay the said amount, accused has issued the subject cheque dated 01.02.2018 in favour of the complainant; when it is presented for encashment, it was returned dishonored with an endorsement 'payment stopped



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by drawer' dated 02.02.2018. Hence, the complainant has issued legal notice dated 12.02.2018 to the accused demanding for repayment. However, the accused has given an untenable reply dated 28.02.2018 to said notice but not repaid the subject cheque amount. Hence, she has filed the complaint before the Court on 20.03.2018. Thus, she has complied with clause No.(iii) to (vi) of the above ingredients. There are catena of judgments of Hon'ble Apex Court that even though the payment is stopped by the drawer, the offence under Section 138 would be attracted.

23. When once the complainant able to establish this clause No.(iii) to (vi) then, automatically the statutory presumption under Section 139 of NI Act would be attracted in favour of the complainant that, there exists a legally enforceable debt and the cheque is issued for the discharge in whole or in part of any other liability.

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24. It is the contention of the complainant that accused has not rebutted the aforesaid presumptions available in favour of the complainant.
25. It is to be established whether the accused has rebutted the aforesaid presumption available in favour of the complainant. It is to be noted here that reply to the notice is the basis of the defence of the accused.
26. In the reply notice, the accused has taken specific defence that the mother of accused and the complainant were good friends; the complainant was often visiting the house and by utilizing such an opportunity, she has stolen the 4 cheques including the subject cheque; the blank signed cheques were kept in her house to facilitate her mother; as her father works and resides mostly in Bengaluru; she has given requisition of stop payment of those 4 cheques, which includes the subject cheque and no



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transaction has taken place between her and the complainant at any point of time. She further contended that, there is no domestic responsibility on her and she had not taken any hand loan from anyone.

27. At the time of cross-examination of the complainant and cross-examination of the witness on behalf of the complainant, the accused has taken specific defence that the complainant is not having financial capacity to lend Rs.2,50,000/- as on the alleged date of lending. In this regard, the accused elicited from the cross-examination of the complainant that, the complainant has taken loan from Grameen Koota Financial Service Private Limited (for short 'Grameen Koota') two-three times and as per Ex.D.3, she had taken loan of Rs.43,000/- from the said Grameen Koota. It is also elicited in the cross-examination of PW.1 that the complainant is head of said Grameen Koota; there were meetings on every Wednesday;

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the complainant is well acquainted with the mother of the accused rather than with the accused; she was visiting the house of the accused. The complainant in her cross-examination further admitted that, there is age gap of about 15-16 years between the complainant and the accused; She further admitted that, her father was VISL employee and retired about 15 years prior to his death. Her father died about 4 years prior to her deposition. Thus, according to her evidence her father might have retired in the year 2002. Her parents have 3 sons and she is the only daughter; she admitted that her two elder brothers and a younger brother are not keeping good health and thus, they are not earning anything; she admitted that her younger brother is suffering from mental illness, she was providing treatment to him with Dr.Ashok Pai and Dr.Hareesh; one of her elder brothers died due to Epilepsy and she is providing treatment to her another elder brother and none of

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her brothers married. She further admitted that she is not having any job and no independent source of income.

28. According to the evidence of the complainant, she has taken loan from Grameen Koota for cultivation of agricultural property. However, no document is produced to show that any property stands either in the name of the complainant or in the name of her family members.
29. According to the evidence of the complainant, they are not having any fixed source of income except her father was getting pension. According to her, her father got Rs.12,00,000/- as pensionary benefit and from that amount, they were leading their life.
30. According to the complainant, the source of income to lend amount to the accused is the amount of Rs.6,00,000/- to her by her father, which was given to PW2, who in turn, gave it back to her. But she

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cannot say when and how said amount was given to her by her father; she has not produced any document to show that her father got Rs.12,00,000/- as pensionary benefit and out of which, he has given Rs.6,00,000/- to the complainant.

31. According to her, she has kept said amount of Rs.6,00,000/- in her Canara Bank, Jannapura branch and given to her relatives. But she cannot say the names of her relatives to whom she has paid the amount.

32. To substantiate said contention, the complainant examined PW2, who has deposed that he has taken Rs.2,50,000/- from the complainant about 5 years prior to his deposition and repaid it to her on 07.07.2017. However, his above evidence is not acceptable for the reason that even though his contention that complainant is his far relative through her mother; he does not know the name of



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mother of the complainant; any details of the family members of the complainant. Further, according to him, his another far relative got introduced the complainant who lend money to him.

33. These facts establish that, PW2 does not know anything about the complainant and thus, his say that he had taken loan of Rs.2,50,000/- from the complainant and repaid it during July-2017 is not an acceptable fact.

34. The accused in her evidence has deposed that she is working in Sri Balaji Technocost, Machenahalli in Accounts Department during 2017 and her working hours was from 08.30 a.m. to 07.00 p.m. and during that intervening hours, her mother was alone in their house. She has issued stop payment letter to her banker on 12.01.2018 as per Ex.D.4. She has further deposed that the complainant was coming to their house to attend Grameen Koota on every Wednesday



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and in that institution, the complainant has obtained loan of Rs.43,000/- which was not repaid by the complainant. The complainant is not having any financial capacity to lend Rs.2,50,000/-.

35. The accused was cross-examined about the meeting being conducted every Wednesday in her house by her mother and her mother is the leader of said Grameenkoota. However, these facts are categorically admitted by the complainant in her cross-examination. Hence, mere non-production of documents by the accused on these facts will not dispute the said contention.
36. There was one more case registered against the accused alleging the offence under Section 138 of NI Act and in that case, the accused has taken defence that the cheque issued towards chit transaction was misused.

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37. In this case, the accused in the stop payment letter and also in her evidence specifically taken contention that, cheque Nos.455941, 455943, 455944 and 455947 were kept in her house are misplaced and it came to her knowledge very recently and there is every chance of misuse of those cheques and thus, she is having mental agony and she is very much afraid about misplace of those cheques and hence, requested for stop payment of those cheques, if they are presented before the bank. This letter was given by the accused to her banker on 12.01.2018. The Ex.P.1 cheque bears the date 01.02.2018. Thus, much earlier to the date of cheque, the accused has given stop payment letter to the bank. Even she has taken that contention in her legal notice and also mentioned why she has taken that contention in the legal notice and also in stop payment letter.

38. As discussed above, there is initial presumption in favour of the complainant, the date mentioned in the

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cheque is the date of its issue. But as discussed above, much earlier to the date mentioned in the cheque, the complainant issued stop payment letter to the Bank that it was misplaced much earlier to the date mentioned in the cheque. Thus, the said presumption under section 118 of NI Act is not available to the complainant.

39. When it is established that the complainant is not having job or source of income; she has to look after her ailing brothers; accused is working, her father is also working, the accused is not having any other financial liability; then, the accused establishes that her financial position is better compared to the complainant; then, the statutory presumption that there exists legally recoverable debt; the cheque is issued for discharge of said legally recoverable debt or liability, either in whole or in part is rebutted, because, the accused can rebut the presumption on



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the principle of preponderance of probability and not beyond reasonable doubt.

40. When once the accused establishes about the financial incapacity of the complainant to lend the amount mentioned in the subject cheque; the burden shifts upon the complainant to establish that the cheque was issued by the accused for legally recoverable debt and the complainant has to establish it beyond reasonable doubt.
41. Admittedly, the complainant had taken loan of Rs.10,000/- and Rs.20,000/- on two occasions and taken loan of Rs.43,000/- on 27.09.2017. The alleged present transaction is on 08.08.2017.
42. In Ex.D.2, the ledger extract of the complainant reveals that she has taken loan from the Grameen Koota from 2016 onwards and as on 26.07.2017 the amount due from her is Rs.17,207/-. If the complainant possessed said amount, there was no

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need for her to continue the loan with Grameen Koota and there was no question of she lending Rs.2,50,000/- to the accused on 08.08.2017. When her loan is about Rs.17,000/- on the alleged date with some other person; without clearing that loan, how she could lend Rs.2,50,000/- to the accused is to be established by the complainant. Furthermore, the complainant is not having any independent source of income. She has not produced any document to show that her father gifted Rs.6,00,000/- after his retirement; said amount was with her as on the date of alleged lending. Under these circumstances, definitely, the accused has rebutted the presumption available in favour of the complainant. Then the complainant ought to have established her case beyond reasonable doubt by producing cogent evidence. However, instead of doing so, the complainant has examined witness who has taken complete go-bye from the version of the

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complainant. According to him, the complainant was introduced to him by his relative. He does not know anything about the family of the complainant; even though he deposed that, the complainant is his far relative from her mother; he does not know the name of mother of the complainant or names of brothers of the complainant or what they are doing and whether they were doing any job or whether the complainant is having any source of income. Even the complainant also categorically deposed that, she is not having any source of income. Under these circumstances, the accused, when she establishes that the stop payment made by her is for valid reasons, then the offence under Section 138 of NI Act cannot be attributed against the accused.

43. In this regard, this Court places reliance on judgment of the **M.M.T.C Ltd and Another vs Medical**

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Chemicals and (P) Ltd and Another² wherein at paragraph Nos.18 and 19 as follows;

18 Lastly it was submitted that a complaint under Section 138 could only be maintained if the cheque was dishonoured for reason of funds being insufficient to honour the cheque or if the amount of the cheque exceeds the amount in the account. It is submitted that as payment of the cheques had been stopped by the drawer one of the ingredients of Section 138 was not fulfilled and thus the complaints were not maintainable.

19 Just such a contention has been negated by this Court has, in the case of Modi Cements Ltd.v. Kuchil Kumar Nandi reported in (1998) 3 SCC 249. It has been held that even though the cheque is dishonoured by reason of 'stop payment' instruction an offence under Section 138 of could still be made out. It is held that the presumption under Section 139 is attracted in such a case also. The authority shows that even when the rt cheque is dishonoured by reason of stop payment instructions by virtue of Section 139 the Court has to presume that the cheque was received by the holder for the discharge, in whole or in part, of any debt or liability. Of course this is a rebuttable presumption. The accused can thus show that the

² (2002) 1 SCC 234



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"stop payment" instructions were not issued because of insufficiency or paucity of funds. If the accused shows that in his account there was sufficient funds to clear the amount of the cheque at the time of presentation of the cheque for encashment at the drawer bank and that the stop payment notice had been issued because of other valid causes including that there was no existing debt or liability at the time of presentation of cheque for encashment, then an offence under Section 138 would not be made out. The important thing is that the burden of so proving would be on the accused. Thus a Court cannot quash a complaint on this ground."

44. When the complainant failed to establish that she had the capacity to lend the amount to accused; the offence under Section 138 of NI Act is not at all established. However, these important material admissions by the complainant and her witnesses in their cross-examination were completely overlooked by the trial Court and Appellate Court. On the other hand, the trial Court by its own whims and fancies assumes that there is no hard and fast rule that person lending money should not take loan from

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anyone. There is no such hard and fast rule, but the complainant should have the financial capacity to lend the money is not at all understood by the trial Court. Without examining the evidence of PW1 and PW2, the trial Court come to the conclusion that the discrepancy in the evidence of PW1 and PW2 does not go to the root of the case. This is complete wrong interpretation of the evidence.

45. In the appeal also, the Appellate Court held that if the complainant had stolen the cheques, then they would be in serial; but the cheques mentioned in the stop payment letter are not of series.
46. It is the specific contention of the accused that she has kept signed blank cheques in her house for the facility of her mother and they need not be in the series.
47. These facts were misunderstood completely and wrongly interpreted by the trial Court as well as the



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Appellate Court. Hence, interference of this Court on the aforesaid judgments is required.

48. Under these circumstances when there are glaring mistakes and complete wrong interpretation and wrong appreciation of evidence, the judgments of the trial Court and the Appellate Court ought to be interfered in the revision.

49. Hence, this Court passes the following:

ORDER

- a. The revision petition is ***allowed***.
- b. The judgment of conviction and order of sentence dated 06.04.2023 passed in C.C. No.1531/2018 on the file of the I Additional Civil Judge and JMFC, Bhadravathi, confirmed in CrI.A.No.5045/2023 dated 06.02.2024, on the file of the IV Additional District and Sessions

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CNR: KAHC010261192024

NC: 2026:KHC:54370
CRL.RP No. 640 of 2024

Judge, Shivamogga, sitting at Bhadravathi, ***is hereby set aside.***

- c. The accused is acquitted for the offence punishable under Section 138 of NI Act.
- d. The amount in deposit shall be refunded to the accused on proper identification.

Digitally Signed By:
K B GEETHA

(GEETHA K.B.)
JUDGE

SPV
List No.: 1 SI No.: 37