



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 30TH DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE V SRISHANANDA

CRIMINAL REVISION PETITION NO. 734 OF 2025

BETWEEN:

SRI. R.S. MALLE GOWDA
S/O SIDDA NANJAPPA
AGED ABOUT 64 YEARS,
R/AT NO.66, 4TH MAIN,
2ND CROSS, BHUVANESHWARI NAGAR,
T.DASARAHALLI, BENGALURU - 560 057.

...PETITIONER

(BY SRI. MAHESH KIRAN SHETTY, ADVOCATE)

AND:

SRI. VIJAYKUMAR KAULLOOR
S/O SHARANAPPA KAULLOOR
AGED ABOUT 39 YEARS,
R/AT.NO.265, 4TH MAIN,
1ST CROSS, BHUVANESHWARI NAGAR,
T. DASARAHALLI, BENGALURU - 560 057.

...RESPONDENT

(BY SRI. SANDESH KUMAR M, ADVOCATE)

THIS CRL.RP IS FILED U/S. 397 R/W 401 OF CR.P.C
(FILED U/S 438 BNSS) PRAYING TO SET ASIDE THE IMPUGNED
CONVICTION JUDGEMENT PASSED BY THE HONBLE XX
ADDL.CHIEF METROPOLITAN MAGISTRATE BENGALURU DATED
15.05.2023 IN CC NO.30854/2021 AND CONCURRENT

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Location:
HIGH
COURT OF
KARNATAKA



JUDGEMENT PASSED IN CRL.APPEAL NO. 744/2023 BY THE HONBLE LVII ADDL.CITY CIVIL AND SESSIONS JUDGE (CCH-59), BENGALURU DATED 21.03.2025 AND THE PETITIONER IS ENTITLED FOR ACQUITTAL.

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

CORAM: HON'BLE MR. JUSTICE V SRISHANANDA

ORAL ORDER

1. Parties are present before the Court.
2. Joint memo is filed, signed by the parties and their respective counsels. Contents of the joint memo reads as under:

"JOINT MEMO

The Petitioner and the respondent submit as follows:

1. It is submitted that the complainant/respondent herein had filed the complaint against the accused/petitioner herein for the offence punishable under section 138 of N. 1. Act before the Hon'ble 20th ACJM, at Bangalore in C.C.No.30854/2021. The Hon'ble trial court by virtue of the order dated 15.05.2023 has convicted the accused/petitioner herein for the offence punishable under section 138 of N. 1. Act and sentenced to pay the fine of Rs.3,60,000/- and in default the petitioner shall undergo simple imprisonment for 3 months. Out of the fine amount Rs.3,50,000/- shall be paid to the complainant/respondent herein and remaining Rs.10,000/- is defrayed to the state towards the expenses incurred in the prosecution.



2. It is submitted that, being aggrieved by the said judgement dated 15.05.2023 passed by the Hon'ble 20th ACJM, at Bangalore in C.C.No.30854/2021, the petitioner approached the Hon'ble Sessions court by filing the appeal before the Hon'ble LVII Addl. City Civil and Sessions Judge (CCH-59), at Bangalore in Crl.Appeal. No.744/2023. However the Hon'ble Sessions Court by virtue of the order dated 21.03.2025 has dismissed the appeal filed by the petitioner by confirming the judgement passed in C.C.No.30854/2021 passed by the Hon'ble 20th ACJM, at Bangalore.
3. It is submitted that, being aggrieved by the concurrent findings by the both Trail court and the Sessions court the petitioner prefers this Revision Petition before this Hon'ble court.
4. It is submitted that, the petitioner has deposited the 20% of fine amount before the Hon'ble trail court as directed by the Hon'ble Sessions court during the admission of the Crl.Apl. No.744/2023 and also the petitioner has deposited another 30% of the fine amount before the Hon'ble trail court as directed by this Hon'ble court at the time of admission of the above Petition. It is further submitted that, the petitioner as on today has deposited the 50% of the fine amount before the trail court in respect of the judgement passed in C.C.No.30854/2021.
5. It is further submitted that, the complainant/respondent herein has filed another two cases as against the wife and son of the petitioner for the offence punishable under section 138 of NI Act. It is further submitted that, the respondent filed the cheque bounce case for a sum of Rs.6,00,000/-(Rupees Six Lakhs Only) as against the wife of the petitioner i.e., Smt. Nirmala before the Hon'ble 20th ACJM, at Bangalore in C.C.No.19327/2022 and another cheque bounce case was filed as against the son of the petitioner Sri. Rakshith M by the respondent for a sum of Rs.5,00,000/-(Rupees Five Lakhs Only) before the Hon'ble 12th ACJM, at Bangalore in C.C.No.3045/2023.
6. It is submitted that, during the pendency of the all above cases, due to the advice of the well-wishers,



family & friends, the petitioner and respondent have settled the above mentioned matters including the present petition for sum of Rs.5,75,000/-(Rupees Five Lakhs Seventy five Thousand Only) towards full and final settlement amount with respect to transactions taken place between the petitioner and his family members and the respondent. No any transactions/disputes has taken place between the parties except the above transaction/disputes.

7. It is further submitted that, the wife of the petitioner and respondent filed the Joint Memo on 18.12.2025 before the Hon'ble 20th ACJM, at Bangalore in C.C.No. 19327/2022 as against the wife of the petitioner Smt. Nirmala and in terms of the Joint Memo in another case pending before the Hon'ble 12th ACJM, at Bangalore in C.C.No.3045/2023 filed as against the son of the petitioner Sri. Rakshith M was withdrawn by the complainant on 23.12.2025. The above said two cases are disposed of.
8. It is submitted that, in terms of the settlement as on today the petitioner had paid Rs.3,95,000/- (Rupees Three Lakh Ninety-Five Thousand Only) to the respondent by way of cash and online mode & the same has been acknowledged by the respondent. Further the petitioner has deposited amount of Rs.1,80,000/- (Rupees One Lakh Eighty Thousand Only) in terms of orders of Learned Sessions Judge & this Hon'ble court, out of which Rs. 72,000/- (Rupees Seventy-Two Thousand Only) is already withdrawn by the complainant/respondent. The petitioner has no objection to withdraw of Rs. 1,08,000/- (Rupees One Lakh Eight Thousand before Only) deposited before the Hon'ble trial court in C.C.No.30854/2021.
9. It is submitted that, as per the negotiation and settlement taken place between the both parties, the complainant/respondent hereby confirms that he don't have any cheques or any signed documents or any other documents pertaining to the petitioner or his family members and the complainant/respondent undertakes that if he had any documents, he will be return to the petitioner or he will never claim any claims as against the



petitioner or his family members in future either by himself or through anybody.

10. It is submitted that, both parties has settled/agreed to entering the above Joint Memo with their own wish and there is no coercion or inducement from any quarter.

11. It is submitted that, the petitioner and the respondent shall abide by the terms and conditions of this joint memo.

WHEREFORE, it is prayed that this Hon'ble Court be pleased to accept the Joint Memo and pass appropriate order in terms of the joint memo in the interest of justice and equity.

3. Placing the joint memo on record, the following order is passed:

ORDER

- i) Criminal Revision Petition stands ***disposed off*** in terms of the joint memo.
- ii) Amount in deposit, if any, is ordered to be withdrawn by the complainant under due identification.

**Sd/-
(V SRISHANANDA)
JUDGE**