



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 29TH DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE V SRISHANANDA
CRIMINAL REVISION PETITION NO. 879 OF 2023

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

C/W CRIMINAL REVISION PETITION NO. 872 OF 2023

IN CRL.RP No. 879/2023

BETWEEN:

HARISHCHANDRA
S/O DEJAPPA,
AGED ABOUT 65 YEARS,
R/AT FLAT NO.301,
DOOR NO, 1-4-133(8),
VIAJAYA APARTMENT, SHIVALI VILLAGE,
DODDANAGUDDE,
UDUPI TALUK AND DISTRICT- 576 102.

...PETITIONER

(BY SRI NISHIT KUMAR SHETTY, ADVOCATE)

AND:

KAMALAKAR N MENDON
S/O NARAYANA K MENDON,
AGED ABOUT 55 YEARS,
R/AT CANARA BANK COMPOUND,
KODAVOOR,
KODAVOOR POST AND VILLAGE,
UDUPI TALUK- 576108

...RESPONDENT

(BY SRI. HAREESH BHANDARY T, ADVOCATE)

THIS CRIMINAL REVISION PETITION IS FILED UNDER
SECTION 397 R/W 401 CODE OF CRIMINAL PROCEDURE
PRAYING TO SET ASIDE THE JUDGMENT AND ORDER OF
CONVICTION DATED 02.12.2022 MADE IN C.C.NO.1895/2016
BY THE COURT OF PRL.CIVIL JUDGE AND J.M.F.C, UDUPI AND
THE JUDGMENT AND ORDER DATED 02.06.2023 MADE IN

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signed by
MALATESH
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Location:
HIGH

COURT OF
KARNATAKA



CRL.A.NO.110/2022 BY THE II ADDL.DISTRICT AND SESSIONS
JUDGE, UDUPI.

IN CRL.RP NO. 872/2023

BETWEEN:

HARISHCHANDRA
S/O DEJAPPA,
AGED ABOUT 65 YEARS,
R/AT FLAT NO.301,
DOOR NO.1-4-133(8),
VIAJAYA APARTMENT, SHIVALLI VILLAGE,
DODDANAGUDDE,
UDUPI TALUK AND DISTRICT - 576102.

...PETITIONER

(BY SRI. NISHIT KUMAR SHETTY, ADVOCATE)

AND:

KAMALAKAR N MENDON
S/O. NARAYANA K MENDON,
AGED BOUT 55 YEARS,
R/AT CANARA BANK COMPOUND,
KODAVOOR,
KODAVOOR POST AND VILLAGE,
UDUPI TALUK 576 108

...RESPONDENT

(BY SRI. HAREESH BHANDARY T, ADVOCATE)

THIS CRIMINAL REVISION PETITION IS FILED UNDER
SECTION 397 R/W 401 CODE OF CRIMINAL PROCEDURE
PRAYING TO SET ASIDE THE JUDGMENT AND ORDER OF
CONVICTION DATED 02.12.2022 MADE IN
C.C.NO.3175/2016 BY THE COURT OF PRINCIPAL CIVIL
JUDGE AND JMFC, UDUPI AND THE JUDGMENT AND ORDER
DATED 02.06.2023 MADE IN CRL.APEAL NO.111/2022 BY
THE II ADDITIONAL DISTRICT AND SESSIONS JUDGE,
UDUPI.



NC: 2026:KHC:24214
CRL.RP No. 879 of 2023
C/W CRL.RP No. 872 of 2023

THESE PETITIONS, COMING ON FOR REPORTING SETTLEMENT, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE V SRISHANANDA

ORAL ORDER

Joint memo are filed signed by the parties and their respective advocates.

2. Contents of the joint memos read as under in both the cases:

Crl.R.P.No.879/2023

"The parties in the above revision petition beg to submit as follows:

- 1. That the above Criminal Revision Petition is filed praying to set aside the Judgment and Conviction order passed by the Principal Civil Judge and JMFC, Udupi in C.C.No.1895/2016 dated 02.12.2022 and the Judgment passed in Crl. Appeal No.110/2022 dated 02.06.2023 on the file of the II Addl. District and Sessions Judge, Udupi.*
- 2. It is submitted that, the dispute between the parties have been amicably settled at the intervention of the well-wishers of both the parties. It is submitted that, the petitioner and the respondent have settled the matter for a sum of Rs.3,20,000/-(Rupees Three Lakh and Twenty Thousand only) as a full and final settlement and the*



petitioner has deposited Rs.3,20,000/-(Rupees Three Lakh and Twenty Thousand only) before the Trial Court as per the direction of this Hon'ble Court as well as appellate court and the respondent is permitted to withdraw the said amount. Therefore, the petitioner and respondent jointly prays that this Hon'ble Court may kindly be pleased to permit the parties to compound the offence and set aside the Judgment and Conviction order passed by the Principal Civil Judge and JMFC, Udupi in C.C.No.1895/2016 dated 02.12.2022 and the Judgment passed in Crl.Appeal No.110/2022 dated 02.06.2023 on the file of the II Addl. District and Sessions Judge, Udupi as against the petitioner in view of the settlement arrived by the parties.

WHEREFORE, it is respectfully prayed that this Hon'ble Court may kindly be permit the parties to compound the offence punishable under section 138 of Negotiable Instruments Act and set aside the Judgment and Conviction order passed by Principal Civil Judge and JMFC, Udupi in C.C.No.1895/2016 dated 02.12.2022 and the Judgment passed in Crl.Appeal No.110/2022 dated 02.06.2023 on the file of the II Addl. District and Sessions Judge, Udupi as against the petitioner and acquit him for the offence under section 138 of Negotiable Instruments Act, in the interest of justice."



Crl.R.P.No.872/2023

"The parties in the above revision petition beg to submit as follows:

- 1. That the above Criminal Revision Petition is filed praying to set aside the Judgment and Conviction order passed by the Principal Civil Judge and JMFC, Udupi in C.C.No.3175/2016 dated 02.12.2022 and the Judgment passed in Crl. Appeal No.111/2022 dated 02.06.2023 on the file of the II Addl. District and Sessions Judge, Udupi.*
- 2. It is submitted that, the dispute between the parties have been amicably settled at the intervention of the well-wishers of both the parties. It is submitted that, the petitioner and the respondent have settled the matter for a sum of Rs.2,80,000/-(Rupees Two Lakh and Eighty Thousand only) as a full and final settlement and the petitioner has deposited Rs.2,80,000/-(Rupees Two Lakh and Eighty Thousand only) before the Trial Court as per the direction of this Hon'ble Court as well as appellate court and the respondent is permitted to withdraw the said amount. Therefore, the petitioner and respondent jointly prays that this Hon'ble Court may kindly be pleased to permit the parties to compound the offence and set aside the Judgment and Conviction order passed by the Principal Civil Judge and JMFC, Udupi in C.C.No.3175/2016 dated 02.12.2022 and the Judgment passed in Crl.Appeal No.111/2022 dated 02.06.2023 on the file of the II Addl. District and Sessions Judge, Udupi as against the petitioner in view of the settlement arrived by the parties.*



HC-KAR

WHEREFORE, it is respectfully prayed that this Hon'ble Court may kindly be permit the parties to compound the offence punishable under section 138 of Negotiable Instruments Act and set aside the Judgment and Conviction order passed by Principal Civil Judge and JMFC, Udupi in C.C.No.3175/2016 dated 02.12.2022 and the Judgment passed in Crl.Appeal No.111/2022 dated 02.06.2023 on the file of the II Addl. District and Sessions Judge, Udupi as against the petitioner and acquit him for the offence under section 138 of Negotiable Instruments Act, in the interest of justice."

3. Placing the joint memos on record petitions stand ***disposed of.***
4. Amount in deposit is ordered to be withdrawn by the complainant under due identification.

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

MR
List No.: 2 Sl No.: 74