



CNR: KAHC010343442026

NC: 2026:KHC:39454
CRL.RP No. 813 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 29TH DAY OF JULY, 2026

BEFORE

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

CRIMINAL REVISION PETITION NO.813 OF 2026

BETWEEN:

1. SHRI. CHANDRASHEKAR
S/O SHRI. C. ANANTHA VIJAYA
AGED ABOUT 63 YEARS
R/O NO.306, SRINIVASA APARTMENT
5TH CROSS, RBI LAYOUT, J.P.NAGAR
BENGALURU – 560 078.

...PETITIONER

(BY SRI. VISHWANATH N., ADVOCATE)

AND:

1. SHRI. SHIVALAKSHMANA
S/O LATE MUNISHAMAPPA
AGED ABOUT 60 YEARS
R/O NO.305, 'C' BLOCK
MAHAVEER CYGNET APARTMENT
AGRAHARA MAIN ROAD
KOGILU VILLAGE
YELAHANKA POST
BENGALURU-560 064.

...RESPONDENT

Digitally signed
by DEVIKA M
Location: HIGH
COURT OF
KARNATAKA

THIS CRL.RP IS FILED UNDER SECTION 397 R/W 401 OF
CR.P.C (U/S 438 R/W 442 BNSS) PRAYING TO SET ASIDE THE
JUDGMENT AND ORDER DATED 10-03-2025 PASSED BY
LEARNED PRESIDING OFFICER, XII ADDL. ACMM, BENGALURU
IN CC NO.2417/2024 AND ORDER, DATED 15.04.2026 BY



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HONBLE LXVI ADDL. CITY CIVIL AND SESSIONS JUDGE AT BENGALURU AND ACQUIT IN CRL.A.NO.614/2025 DATED 15.04.2026 THE PETITIONER OF THE CHARGES LEVELED AGAINST HIM.

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 matter is listed for admission along with I.A.No.1/2026 for suspension of sentence. I have heard learned counsel for the petitioner.

2. The factual matrix of case of the complainant is that complainant and accused are known to each other. On well acquaintance, during the first week of March 2022, the accused approached the complainant for financial assistance of Rs.47,00,000/- to meet his urgent needs and financial commitments and family necessities. According to the complainant, he lend a sum of Rs.47,00,000/- on 16.03.2022 through RTGS which he owed from selling flat bearing No.09, Ground Floor, Block-A, Mahaveer Cygnet Apartment, Kogily Villate, Yelahanka Post, Bangalore, in favour of Sri Nataraju, son of Veerappa for a sale consideration of Rs.65,00,000/- and



the accused had promised to repay the same within six months and also agreed to pay interest at the rate of 21% p.a. Subsequent to availment of said amount, the accused has repaid a sum of Rs.20,00,000/- leaving the balance amount of Rs.27,00,000/- and assured to repay the same and issued the Cheque. When the said cheque was presented, it was returned with an endorsement 'funds insufficient'. The legal notice was issued and the accused did not comply with the demand. Hence, complaint was filed, cognizance was taken, he was secured before the Trial Court and engaged the counsel, but did not cross-examine P.W.1.

3. It is also the case of the complainant that out of an amount of Rs.47,00,000/-, amount of Rs.20,00,000/- was paid by the accused and the remaining amount was not paid and he had paid the amount of Rs.47,00,000/- out of the sale consideration from the property which was owned by the complainant. When such material is available before the Court, the Trial Court has not committed any error in convicting and sentencing the accused, as there was no rebuttal evidence on the part of the accused.



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4. The First Appellate Court also re-appreciated the material on record and confirmed the order of the Trial Court and no material to consider before this Court, since there is no miscarriage of justice. When there is no rebuttal evidence before the Court, question of consideration of revision petition also does not arise and the orders of both the Courts not suffers from its legality and correctness.

Accordingly, the revision petition is ***dismissed.***

**Sd/-
(H.P.SANDESH)
JUDGE**

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List No.: 1 Sl No.: 43