



CNR: KAHC010349142026

NC: 2026:KHC:37892
CRL.RP No. 834 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 22ND DAY OF JULY, 2026

BEFORE

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

CRIMINAL REVISION PETITION NO.834 OF 2026

BETWEEN:

1. SUNIL S.M.,
S/O MANJUNATHA N,
AGED ABOUT 26 YEARS,
R/O RAJALAKSHMI NILAYA,
MALEKERI, SHIKARIPURA TOWN,
SHIKARIPURA TALUK,
SHIVAMOGGA-577427.

...PETITIONER

(BY SRI. SRINIVASA M.G., ADVOCATE)

AND:

Digitally signed
by DEVIKA M
Location: HIGH
COURT OF
KARNATAKA

1. STATE BY RURAL POLICE STATION.,
SHIVAMOGGA-577202,
REPRESENTED BY STATE PUBLIC PROSECUTOR,
HIGH COURT COMPLEX,
BENGALURU-560 001.

...RESPONDENT

(BY SRI. M. DIVAKAR MADDUR, HCGP)

THIS CRL.RP IS FILED UNDER SECTION 397 R/W 401 (FILED U/S.438 R/W SEC.442 BNSS) OF CR.P.C PRAYING TO SET ASIDE THE JUDGMENT DATED 30.04.2026 IN CRL.A.NO.138/2025 PASSED BY THE LEARNED I ADDL. SESSIONS JUDGE AT SHIVAMOGGA, AND IN C.C.NO.552/2019 DATED 01.09.2025 PASSED BY THE LEARNED JMFC III AT



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SHIVAMOGGA AND DIRECT THE ACQUITTAL OF THE PETITIONER/ACCUSED NO.1 OF THE CHARGE LEVELED AGAINST HIM.

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

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

ORAL ORDER

Heard the learned counsel for the revision petitioner and the learned High Court Government Pleader appearing for the respondent State.

2. This revision petition is filed against the concurrent finding of the Trial Court and the Appellate Court. The Trial Court having taken note of both oral and documentary evidence placed on record, convicted and sentenced the accused. The Appellate Court also while considering the appeal, re-appreciated the same and confirmed the order of the Trial Court. Having considered the grounds of revision and material on record, when this Court comes to the conclusion that no grounds are made out to interfere with the findings of the Trial Court and the Appellate Court, at this juncture, the learned counsel for the revision petitioner submits that the accident was taken place in the year 2018 and hence, in lieu of the



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sentence, compensation may be awarded to the family of the deceased.

3. The Apex Court in its judgment in the case of **MAHADEVANNA D.M. v. STATE OF KARNATAKA AND ANOTHER** passed in **SLP (Cri.)No.4563/2022** dated 18.05.2026, while considering the similar set of facts in a case of BMTC driver, imposed fine of Rs.5,00,000/-, payable towards compensation to the family of the deceased.

4. In the case on hand, the revision petitioner is a driver and on account of death of the deceased, this Court found that justice would be met if compensation of Rs.4,00,000/- is awarded to the family of the deceased instead of sending him to serve the sentence and it is an accident and not an intentional act.

5. In view of the discussions made above, I pass the following:

ORDER

- (i) The criminal revision petition is disposed of.
- (ii) The revision petitioner is directed to pay an amount of Rs.4,00,000/- as compensation in



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lieu of sentence and eight weeks time is granted to deposit the amount before the Trial Court. Out of the said amount, an amount of Rs.3,80,000/- is payable to the wife of the deceased, on proper identification. The remaining amount of Rs.20,000/- shall vest with the State.

- (iii) If the revision petitioner fails to deposit the amount within eight weeks, the revision petitioner has to suffer the sentence as ordered by the Trial Court.

Sd/-
(H.P.SANDESH)
JUDGE

MD
List No.: 1 Sl No.: 71