



CNR: KAHC010409952020

NC: 2026:KHC:54057
CRL.P No. 8103 of 2020

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 29TH DAY OF SEPTEMBER, 2026

BEFORE

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

CRIMINAL PETITION NO. 8103 OF 2020]

(482(Cr.PC) / 528(BNSS))

BETWEEN:

M/S EMMVEE PHOTOVOLTAIC POWER (P) LTD

OFFICE AT NO.13/1 BELLARY ROAD,

SONNAPPANAHALLI JALA HOBLI

BETTAHALASURU POST

BANGALORE

(DULY REPRESENTED BY ITS LEGAL EXECUTIVE AND

RECOVERY

HARISH B

S/O BETTA SWAMY

AGED ABOUT 23 YEARS

...PETITIONER

(BY SRI. HARISH BABU K N., ADVOCATE)

AND:

MAHESH INAMADAR

PROPRIETOR

M/S PUNCA

Digitally signed
by DEVIKA M
Location: HIGH
COURT OF
KARNATAKA



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OFFICE:

UNIT NO. 38, ELECTRONIC SANDAN
NO.1 BHOSARI MIDC PUNE-411 026

FACTORY:

GATE NO.624/9
PROPERTY NO.1170
PUNE NASHIK ROAD, VILLAGE KURULI CHAKAN
TALKHED PUNE-410 501

OLD ADDRESS

NO.38, ELECTRONIC SANDAN NO.1
BHOSARI M.I.D.C.
PUNE, MAHARASHTRA

...RESPONDENT

(BY SRI. ANWITH JAIN, ADVOCATE)

THIS CRL.P IS FILED U/S 482 CR.PC PRAYING TO SET
ASIDE THE DISMISSAL ORDER FOR NON PROSECUTION,
PASSED ON THE FILE OF THE XXXIII A.C.M.M. AND IN
C.C.NO.26931/2012 DATED 06.10.2018 AT BENGALURU.

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



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

ORAL ORDER

Heard the learned counsel for the petitioner counsel and also the learned counsel appearing for the respondent.

2. Despite cognizance having been taken by the trial Court for the offence under Section 138 of Negotiable Instruments Act, 1881, and despite efforts made by the petitioner-Complainant to execute the NBW, the same could not be executed. However, even on the date of dismissal, learned counsel who was present before the Court sought time to take steps. The trial Court, however, observed that, despite the case having been filed in 2012, steps could not be taken at the correct address, and therefore, granting time to take steps at the old address would not serve any purpose.



3. Learned counsel would now submit that the correct address of the respondent has been ascertained and that this Court has also issued and served notice on the respondent through DG and IGP. Since the respondent is residing at Pune and is now represented through counsel, the same is taken note of.

4. Even though, on the date of dismissal for non-prosecution, a prayer for time was made, and this Court has also issued notice and served the notice on the respondent under the circumstances, it is appropriate to set aside the order of the trial Court and direct both the petitioner and the respondent to appear before the trial Court on 26.10.2026, without expecting any notice from the trial Court.

5. Learned counsel for the respondent is also directed to intimate the respondent to appear in person before the trial Court without fail on 26.10.2026.



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6. The learned Trial Judge is directed to dispose of the matter within a period of nine months, considering that the cheque bounce case was filed in 2012 and it is now 2026. Both the learned counsel as well as the parties are directed to assist the trial Court in the disposal of the case within a period of nine months from 26.10.2026. The complaint is restored to the file of the trial Court to take up the matter and dispose of the same in accordance with the law above observation in accordance with law.

7. Accordingly, the petition is ***disposed of***.

Sd/-
(H.P.SANDESH)
JUDGE

SSB