



NC: 2026:KHC:29119
CRL.P No. 7527 of 2024
C/W CRL.P No. 7532 of 2024
CRL.P No. 7541 of 2024
AND 4 OTHERS

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 16TH DAY OF JUNE, 2026

BEFORE

THE HON'BLE MR. JUSTICE M.NAGAPRASANNA

CRIMINAL PETITION NO. 7527 OF 2024

C/W

CRIMINAL PETITION NO. 7532 OF 2024

CRIMINAL PETITION NO. 7541 OF 2024

CRIMINAL PETITION NO. 7545 OF 2024

CRIMINAL PETITION NO. 7554 OF 2024

CRIMINAL PETITION NO. 7560 OF 2024

CRIMINAL PETITION NO. 7564 OF 2024

IN CRL.P No. 7527/2024

BETWEEN:

1. M/S. ROMA BUILDERS
ROMA HOUSE - THE PATRIA, NO. 346
'A' BLOCK, 1ST MAIN, AECS LAYOUT,
KUDALAHALLI, BENGALURU - 560 037,
REPRESENTED BY ITS MANAGING PARTNER,
MR. TUMATI RAVI KUMAR.
2. MR. TUMATI RAVI KUMAR
MANAGING PARTNER,
M/S. ROMA BUILDERS,
ROMA HOUSE - THE PATRIA, NO 346
A BLOCK, 1ST MAIN,
AECS LAYOUT, KUDALAHALLI
BENGALURU - 560 037.
AND ALSO AT



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MR. TUMATI RAVI KUMAR,
NO. 185, 1ST CROSS,
'A' BLOCK, AECS LAYOUT,
BENGALURU - 560 036.

...PETITIONERS

(BY SRI. DILIP KUMAR I.S, ADVOCATE)

AND:

SMT. ASHWINI
W/O KUNA SRIDHAR,
AGED ABOUT 44 YEARS,
R/AT NO. 27, 8TH CROSS,
J.S NAGAR, NANDINI LAYOUT,
BANGALORE - 560 096.

...RESPONDENT

(BY SRI. G. CHANDRASHEKHARAIHAH, ADVOCATE)

THIS CRL.P IS FILED U/S 482 OF CR.PC PRAYING TO SET
ASIDE THE ORDER DATED 14.06.2024 IN C.C.NO.25904/2017
ISSUING FLW AGAINST THE PETITIONERS ON THE FILE OF XXI
A.C.M.M BENGALURU AT ANNEXURE-B AS THE SAME IS CLEAR
ABUSE OF PROCESS OF LAW.

IN CRL.P NO. 7532/2024

BETWEEN:

1. M/S. ROMA BUILDERS
ROMA HOUSE - THE PATRIA, NO. 346
'A' BLOCK, 1ST MAIN, AECS LAYOUT,
KUDALAHALLI, BENGALURU - 560 037,
REPRESENTED BY ITS MANAGING PARTNER,
MR. TUMATI RAVI KUMAR.
2. MR. TUMATI RAVI KUMAR
MANAGING PARTNER,



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M/S. ROMA BUILDERS,
ROMA HOUSE - THE PATRIA, NO 346
A BLOCK, 1ST MAIN,
AECS LAYOUT, KUDALAHALLI
BENGALURU - 560 037.
AND ALSO AT
MR. TUMATI RAVI KUMAR,
NO. 185, 1ST CROSS,
'A' BLOCK, AECS LAYOUT,
BENGALURU - 560 036.

...PETITIONERS

(BY SRI. DILIP KUMAR I.S, ADVOCATE)

AND:

SRI. KUNA SRIDHAR
S/O KUNA SATHYANARAYANA CHETTY
AGE MAJOR,
R/AT NO. 27, 8TH CROSS,
J.S. NAGARA, NANDINI LAYOUT,
BENGALURU - 560 096.

...RESPONDENT

(BY SRI. G. CHANDRASHEKHARAIHAH, ADVOCATE)

THIS CRL.P IS FILED U/S 482 OF CR.PC PRAYING TO
SET ASIDE THE ORDER DATED 14.06.2024 IN
C.C.NO.25906/2017 ISSUING FLW AGAINST THE
PETITIONERS ON THE FILE OF XXI ACMM, BENGALURU AT
ANNEXURE-B AS THE SAME IS CLEAR ABUSE OF PROCESS
OF LAW.

IN CRL.P NO. 7541/2024

BETWEEN:

1. M/S. ROMA BUILDERS
ROMA HOUSE - THE PATRIA, NO. 346



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'A' BLOCK, 1ST MAIN, AECS LAYOUT,
KUDALAHALLI, BENGALURU - 560 037,
REPRESENTED BY ITS MANAGING PARTNER,
MR. TUMATI RAVI KUMAR.

2. MR. TUMATI RAVI KUMAR
MANAGING PARTNER,
M/S. ROMA BUILDERS,
ROMA HOUSE - THE PATRIA, NO. 346
A BLOCK, 1ST MAIN,
AECS LAYOUT, KUDALAHALLI
BENGALURU - 560 037.
AND ALSO AT
MR. TUMATI RAVI KUMAR,
NO. 185, 1ST CROSS,
'A' BLOCK, AECS LAYOUT,
BENGALURU - 560 036.

...PETITIONERS

(BY SRI. DILIP KUMAR I.S, ADVOCATE)

AND:

SRI. KUNA SRIDHAR
S/O. KUNA SATHYANARAYANA CHETTY,
AGED ABOUT MAJOR,
R/AT NO. 27, 8TH CROSS,
J. S. NAGARA, NANDINI LAYOUT,
BANGALORE - 560 096.

...RESPONDENT

THIS CRL.P IS FILED U/S 482 OF CR.PC PRAYING TO
SET ASIDE THE ORDER DATED 14.06.2024 IN
C.C.NO.25908/2017 ISSUING FLW AGAINST THE
PETITIONERS ON THE FILE OF XXI ACMM, BENGALURU AT
ANNEXURE-B AS THE SAME IS CLEAR ABUSE OF PROCESS



OF LAW.

IN CRL.P NO. 7545/2024

BETWEEN:

1. M/S. ROMA BUILDERS
ROMA HOUSE - THE PATRIA, NO. 346
'A' BLOCK, 1ST MAIN, AECS LAYOUT,
KUDALAHALLI, BENGALURU - 560 037,
REPRESENTED BY ITS MANAGING PARTNER,
MR. TUMATI RAVI KUMAR.
2. MR. TUMATI RAVI KUMAR
MANAGING PARTNER,
M/S. ROMA BUILDERS,
ROMA HOUSE - THE PATRIA, NO. 346
A BLOCK, 1ST MAIN,
AECS LAYOUT, KUDALAHALLI
BENGALURU - 560 037.
AND ALSO AT MR. TUMATI RAVI KUMAR,
NO. 185, 1ST CROSS,
'A' BLOCK, AECS LAYOUT,
BENGALURU - 560 036.

...PETITIONERS

(BY SRI. DILIP KUMAR I.S, ADVOCATE)

AND:

SRI. KUNA SRIDHAR
S/O. KUNA SATHYANARAYANA CHETTY,
AGED MAJOR, R/AT NO. 27, 8TH CROSS,
J. S. NAGARA, NANDINI LAYOUT,
BANGALORE - 560 096.

...RESPONDENT

(BY SRI. G CHANDRASHEKHARAIHAH, ADVOCATE)



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THIS CRL.P IS FILED U/S.482 OF CR.P.C PRAYING TO QUASH THE ORDER DATED 14.06.2024 IN C.C.NO.25905/2017 ISSUING FLW AGAINST THE PETITIONER ON THE FILE OF THE XXI ACMM, BENGALURU AT ANNEXURE B AS THE SAME IS CLEAR ABUSE OF PROCESS OF LAW.

IN CRL.P NO. 7554/2024

BETWEEN:

1. M/S. ROMA BUILDERS
ROMA HOUSE - THE PATRIA, NO. 346
'A' BLOCK, 1ST MAIN, AECS LAYOUT,
KUDALAHALLI, BENGALURU - 560 037,
REPRESENTED BY ITS MANAGING PARTNER,
MR. TUMATI RAVI KUMAR.
2. MR. TUMATI RAVI KUMAR
MANAGING PARTNER,
M/S. ROMA BUILDERS,
ROMA HOUSE - THE PATRIA, NO 346
A BLOCK, 1ST MAIN,
AECS LAYOUT, KUDALAHALLI
BENGALURU - 560 037.
AND ALSO AT
MR. TUMATI RAVI KUMAR,
NO. 185, 1ST CROSS,
'A' BLOCK, AECS LAYOUT,
BENGALURU - 560 036.

...PETITIONERS

(BY SRI. DILIP KUMAR I.S, ADVOCATE)

AND:

SMT. ASHWINI
W/O. KUNA SRIDHAR,



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AGED ABOUT 44 YEARS,
R/AT NO. 27, 8TH CROSS,
J. S. NAGARA,
NANDINI LAYOUT,
BANGALORE - 560 096.

...RESPONDENT

(BY SRI. G. CHANDRASHEKHARIAH, ADVOCATE)

THIS CRL.P IS FILED U/S.482 OF CR.P.C PRAYING TO SET ASIDE THE ORDER DATED 14.06.2024 IN C.C.NO.25907/2017 ISSUING FLW AGAINST THE PETITIONER ON THE FILE OF THE XXI ACMM, BENGALURU AT ANNEXURE B AS THE SAME IS CLEAR ABUSE OF PROCESS OF LAW.

IN CRL.P NO. 7560/2024

BETWEEN:

1. M/S. ROMA BUILDERS
ROMA HOUSE - THE PATRIA, NO. 346
'A' BLOCK, 1ST MAIN, AECS LAYOUT,
KUDALAHALLI, BENGALURU - 560 037,
REPRESENTED BY ITS MANAGING PARTNER,
MR. TUMATI RAVI KUMAR.
2. MR. TUMATI RAVI KUMAR
MANAGING PARTNER,
M/S. ROMA BUILDERS,
ROMA HOUSE - THE PATRIA, NO. 346
A BLOCK, 1ST MAIN,
AECS LAYOUT, KUDALAHALLI
BENGALURU - 560 037.
AND ALSO AT
MR. TUMATI RAVI KUMAR,
NO. 185, 1ST CROSS,



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'A' BLOCK, AECS LAYOUT,
BENGALURU - 560 036.

...PETITIONERS

(BY SRI. DILIP KUMAR I.S, ADVOCATE)

AND:

SMT. ASHWINI
W/O KUMA SRIDHAR
AGED ABOUT 44 YEARS
R/AT NO.27, 8TH CROSS
J.S. NAGARA, NANDINI LAYOUT
BANGALORE - 560 096.

...RESPONDENT

(BY SRI. G. CHANDRASHEKHARAIHAH, ADVOCATE)

THIS CRL.P IS FILED U/S 482 OF CR.PC PRAYING TO
SET ASIDE THE ORDER OF THE HONBEL XXI A.C.M.M
BENGALURU DATED 14.06.2024 ISSUING FLW AGAINST
THE PETITIONERS IN C.C.NO.25909/2017 AS THE SAME IS
CLEAR ABUSE OF PROCESS OF LAW.

IN CRL.P NO. 7564/2024

BETWEEN:

1. M/S. ROMA BUILDERS
ROMA HOUSE - THE PATRIA, NO. 346
'A' BLOCK, 1ST MAIN, AECS LAYOUT,
KUDALAHALLI, BENGALURU - 560 037,
REPRESENTED BY ITS MANAGING PARTNER,
MR. TUMATI RAVI KUMAR.
2. MR. TUMATI RAVI KUMAR
MANAGING PARTNER,
M/S. ROMA BUILDERS,



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AND 4 OTHERS

ROMA HOUSE - THE PATRIA, NO. 346
A BLOCK, 1ST MAIN,
AECS LAYOUT, KUDALAHALLI
BENGALURU - 560 037.
AND ALSO AT
MR. TUMATI RAVI KUMAR,
NO. 185, 1ST CROSS,
'A' BLOCK, AECS LAYOUT,
BENGALURU - 560 036.

...PETITIONERS

(BY SRI. DILIP KUMAR I.S, ADVOCATE)

AND:

SRI. KUNA SRIDHAR
S/O KUNA SATHYANARAYANA CHETTY,
AGED MAJOR,
R/AT NO. 27, 8TH CROSS,
J.S. NAGARA,
NANDINI LAYOUT,
BANGALORE - 560 096.

...RESPONDENT

(BY SRI. C. SRINIVASA, ADVOCATE)

THIS CRL.P IS FILED U/S.482 OF CR.P.C PRAYING TO
SET ASIDE THE ORDER DATED 14.06.2024 IN
C.C.NO.25910/2017 ISSUED FLW AGAINST THE
PETITIONER ON THE FILE OF XXI ACMM, BENGALURU AT
ANNEXURE B AS THE SAME IS CLEAR ABUSE OF PROCESS
OF LAW.

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



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CORAM: HON'BLE MR. JUSTICE M.NAGAPRASANNA

ORAL ORDER

The petitioners are the accused, the respondent is the complainant. The two have a transaction. The transaction has led the complainant to the concerned Court invoking Section 200 of the Code of Criminal Procedure, 1973 ('the Cr.P.C.' for short) for offence punishable under Section 138 of the Negotiable Instruments Act, 1881.

2. Heard Sri. Dilip Kumar I.S., learned counsel appearing for the petitioners and Sri. G. Chandrashekharaiiah, learned counsel appearing for the respondent.

3. The petitioners gets convicted of the offence, files an appeal before the Appellate Court. The Appellate Court had suspended the sentence, subject to the condition that the petitioners would deposit 20% of the amount.

4. The learned counsel appearing for the petitioners would submit that the deposit was made. The issue in the *lis* is not with regard to the deposit or otherwise. During the subsistence of the appeal, the parties to the *lis* enter into a



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compromise. In terms of the compromise, the amount of Rs.69,00,000/- had to be paid to the complainant. The concerned Court terminates the appeal by setting aside the order of conviction by the following order:

"Case advanced.

Counsel for the complainant filed PF and prays to issue NBW against the accused by hand.

Hence, issue FLW to the accused by hand with the assistance of the concerned P.S.

Put up after execution of warrant.

XXI ACMM, BENGALURU

Case advance. Taken on today's board.

Counsel for the complainant filed PF and prays to issue NBW against the accused by hand.

On perusal of the records, it reveals that on 07.12.2019 this court has passed the judgment and convicted the accused. Thereafter, accused is preferred criminal appeal before Hon'ble LXVIII A.C.C & S.J., Bengaluru and the said appellate court ordered as follows:

"The Judgment of conviction and sentence passed by the learned XXI ACMM, Bangalore, in C.C.No.25904/2017 dated 07.12.2019 is hereby set-aside.

Remaining judgment of the trial Court is confirmed.

It is further ordered that the appellant shall pay fine of Rs.4,00,000/- to the respondent within 1 month from the date of this order. Otherwise, the respondent is having every right to proceed



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against the appellants U/sec.421 of Cr.P.C., to recover the fine amount as ordered by the trial court."

Accordingly, issue FLW against the accused with the assistance of the concerned Police Station as per PF, if PF paid.

Put up after execution of warrant."

In terms of the said order, the judgment and conviction passed by the concerned court dated 07.12.2019 was quashed on the score of compromise of the said amount. The petitioners/accused fails to pay the amount. Therefore, the concerned Court has now issued the fine levy warrant and NBW against the accused, the present petitioners.

5. This Court in terms of its order dated 09.09.2024 had passed the following order:

"List this matter on 30.09.2024 in fresh matters list.

There shall be interim order of stay of any kind of warrant hanging on the head of the petitioners subject to the condition of depositing amount of Rs.20 Lakhs by the next date of hearing.

List along with Crl.P.Nos.7532/2024, 7554/2024, 7560/2024, 7564/2024 and 7541/2024."

The moment the order is passed, all other petitions got tagged to the subject petition and is pending before the Court



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for the last two years, but no amount in terms of the compromise is paid to the respondent/victim, except Rs.20,00,000/- of the order passed by this Court.

6. Therefore, in the light of the default of the petitioners in not adhering to the compromise and making the victim move from pillar to post secure the fruits of the compromise, the petition cannot be entertained. All remedies available to the petitioner remain open.

7. With the aforesaid observation, the petitions stands ***disposed.***

Ordered accordingly.

Sd/-
(M.NAGAPRASANNA)
JUDGE

JY
List No.: 2 Sl No.: 5