



CNR: KAHC010426922026

NC: 2026:KHC:41734
CRL.RP No. 1025 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 7TH DAY OF AUGUST, 2026

BEFORE

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

CRIMINAL REVISION PETITION NO.1025 OF 2026

BETWEEN:

1. MRS. MUJEBUNNISA,
W/O RAJAB ALI,
AGED ABOUT 43 YEARS,
RESIDING AT NO.5,
NEAR MARAMMA TEMPLE,
VALAGEREHALLI,
KENGARI SATELLITE TOWN,
BENGALURU SOUTH,
BENGALURU-560060.

...PETITIONER

(BY SRI. MAHAMMAD ASFAQ, ADVOCATE)

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by DEVIKA M

Location: HIGH
COURT OF
KARNATAKA

AND:

1. MRS. BHARATHI,
W/O RAMESH,
AGED ABOUT 44 YEARS,
RESIDING AT NO.287,
7TH CROSS, VALAGERAHALLI,
KENGARI UPANAGAR, BENGALURU,
KARNATAKA-560060.

...RESPONDENT

THIS CRL.RP IS FILED UNDER SECTION 397 R/W 401 OF
CR.PC (FILED U/S 438 R/W 442 BNSS) PRAYING TO SET ASIDE
THE JUDGMENT/ORDER DATED 07.04.2026 PASSED BY THE
HONBLE LXVII ADDITIONAL CITY CIVIL AND SESSIONS JUDGE,



BENGALURU IN CRIMINAL APPEAL NO.393/2022 CONFIRMING THE JUDGMENT DATED 05.03.2022 PASSED BY THE HONBLE XXIII ACMM, BENGALURU IN C.C.NO.10089/2019 AND ACQUIT THE PETITIONER FROM THE ALLEGED OFFENCE AND PASS OTHER ORDERS AS THIS HONBLE COURT DEEMS FIT.

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. Heard the learned counsel for the revision petitioner.

2. The case of the complainant is admitted. The accused says that she had borrowed only an amount of Rs.80,000/- and an amount of Rs.25,000/- was repaid. But in order to substantiate that she had only received the amount of Rs.80,000/- and repaid the amount of Rs.25,000/-, nothing is placed on record and the Trial Court taken note of the same in paragraph No.14. The case of the complainant before the Trial Court is that the accused was in need of financial assistance and she sought for the financial help of Rs.1,00,000/- for her financial and legal necessities and promised to repay the same within two months and accordingly, the amount was paid. Once again, the accused approached the complainant for further



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hand loan of Rs.80,000/- on 10.03.2018 and the complainant made the payment of Rs.80,000/-. In all, the complainant made the payment of Rs.1,80,000/- to the accused. For discharge of the said amount, the accused issued the subject matter of the cheque and when the said cheque was presented, the same was returned with an endorsement "funds insufficient". The legal notice was issued and the same was duly served. But the accused did not reply to the notice and also did not comply with the demand. Hence, proceedings was initiated. When a specific case was made out by the complainant that the accused had availed the loan twice to the tune of Rs.1,80,000/-, the accused contended that she has received only an amount of Rs.80,000/-, but the same is not substantiated.

3. The other defence was also taken that she had borrowed hand loan of Rs.20,000/- from her friend, who is a small money lender, by name Mrs. Shashi and for security of the said amount, Shashi had demanded blank cheque from her. In good faith, she handed over a blank cheque and the complainant had taken her blank cheque from the said Shashi



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and misused the same. But in order to substantiate the same also, nothing is placed on record. The admission given by D.W.1 before the Court was taken note of by the Trial Court. The Appellate Court on re-appreciation of the material available on record, comes to the conclusion that the Trial Court has not committed any error. The issuance of the cheque is not disputed and signature is not disputed. The theory of that the cheque was given to Shashi and the same was misused by the complainant is also not substantiated. When the admission is very clear regarding transaction is concerned and when the defence put forth that only availed an amount of Rs.80,000/-, is not substantiated, I do not find any grounds to entertain the revision petition. The orders of both the Trial Court and the Appellate Court not suffers from its legality and correctness. Hence, the criminal revision petition is dismissed.

Sd/-
(H.P.SANDESH)
JUDGE

MD
List No.: 1 Sl No.: 20