



CNR: KAHC010444282026

NC: 2026:KHC:39751  
CRL.RP No. 1054 of 2026

**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**

**DATED THIS THE 30<sup>TH</sup> DAY OF JULY, 2026**

**BEFORE**

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

**CRIMINAL REVISION PETITION NO.1054 OF 2026**

**BETWEEN:**

1. MR. H.M.CHANDRA SHEKAR,  
AGED ABOUT 45 YEARS,  
R/AT C/O H.N.MEGHANA BUILDING,  
1<sup>ST</sup> FLOOR, IN FRONT OF KARNATAKA  
BANK ATM, MINERVA BAKERY ROAD,  
NEAR OM SHREE CIRCLE,  
M.V.EXTENSION,  
HOSAKOTE-562114.

...PETITIONER

(BY SRI. SOMESHA D.L., ADVOCATE)

**AND:**

Digitally signed  
by DEVIKA M  
Location: HIGH  
COURT OF  
KARNATAKA

1. MR. P. NARESH BABU,  
AGED ABOUT 40 YEARS,  
S/O LATE P.P. NARASIMHULU,  
R/AT FLAT NO.104,  
GIRIDHAMA MANOR APARTMENT,  
2<sup>ND</sup> MAIN, NEAR MAITRI SCHOOL,  
A NARAYANAPURA,  
BENGALURU-560016.

...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 IMPUGNED JUDGMENT DATED 08.05.2026 PASSED BY THE HONBLE LXXIII ADDL. CITY CIVIL AND SESSIONS JUDGE (CCH-74) AT BENGALURU IN CRL.A.NO.25339/2024 IN



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CONFIRMING THE JUDGMENT AND SENTENCE PASSED BY THE HONBLE LXXIII A.C.J.M MAYO HALL UNIT AT BENGALURU IN C.C.NO.52508/2019 DATED 03.09.2024 AND ACQUIT THE PETITIONER IN THE ABOVE CASE.

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 Trial Court taking into note of the case of the complainant and also the accused, in detail discussed the same. The Trial Court taken note that though the accused denied his signatures on Exs.P.1 to 3, he did not send the documents to the handwriting expert. The Trial Court taken note of that on examination chief affidavit in every page the signature of the accused was different. The Trial Court in paragraph No.22 taken note of admission on the part of D.W.1 and particularly in paragraph No.23, taken note of admission of the accused in the cross-examination that amount was transferred to his account through RTGS and cheque. The accused denied the signature on the cheque as well as the signatures on Exs.P.1 to 3. On



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perusal of Exs.P.1 to 3, they are the receipts issued by the accused in favour of the complainant and all the three receipts are printed. On perusal of the signatures on Exs.P.1 to 3, plea, statement recorded under Section 313 of Cr.P.C. and deposition of the accused, all are not similar and are different and the same is also admitted by him. When such being the case, when the documents are also not sent to the hand writing expert, the Trial Court did not accept the case of the accused.

3. The Appellate Court also having considered both oral and documentary evidence, on re-appreciation, comes to the conclusion that the complainant has made out the case, particularly relying upon the cheques as well as the documents of Exs.P.1 to 3 and confirmed the judgment of the Trial Court. The Appellate Court also comes to the conclusion that the burden cast upon the accused to successfully rebut the presumption, which is raised by the complainant. There is no rebuttal evidence to accept the case of the accused and there is no any probable material to show that there is a preponderance of probabilities. The very contention of the accused is that there is no document with regard to the payment of Rs.9,50,000/-,



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but did not deny the cheque though he denies his signature in the cheque. Though he took the specific defence that there was no any transaction between the complainant and the accused, the answers elicited from the mouth of D.W.1 is with regard to the receipt of the amount received by way of RTGS as well as cheques and there are no explanation on the part of the accused. When such being the case, I do not find any grounds to entertain the revision petition and the order of the Trial Court and the Appellate Court not suffers from its legality and correctness. This Court can exercise the revisional powers if there is any miscarriage in appreciation of evidence. Hence, no ground is made out to admit the revision petition.

4. Accordingly, the criminal revision petition is dismissed.

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

MD  
List No.: 1 Sl No.: 36