



CNR: KAHC010474522026

NC: 2026:KHC:48874
CRL.P No. 10238 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 9TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

CRIMINAL PETITION NO.10238 OF 2026 (482(Cr.PC)/
528(BNSS))

BETWEEN:

1. SRI. K. ARJUN
S/O T. KRISHNEGOWDA
AGED ABOUT 40 YEARS
R/AT NO.57/2, 17TH CROSS
3RD MAIN ROAD, MALLESHWARAM
BANGALORE-560003.

...PETITIONER

(BY SRI. MANJUNATHA N.M. ADV.,)

AND:

1. SRI. N. PRAKASH
S/O SHIVAMALLAPPA
AGED ABOUT 38 YEARS
R/AT ALAGUMOOLE VILLAGE
MANAGALLI POST, HANUR TALUK
CHAMARAJANAGARA
DISTRICT - 562 110-571439.
2. A.R. BUILDERS AND DEVELOPERS
NO.107, NEAR HDFC BANK
OUTER RING ROAD, B. NARAYANAPURA
BANGALORE-560016.

...RESPONDENTS

(BY SRI. S.R. SREEPRASAD, ADV.,)

Digitally Signed by ANANT
RAMNATH HEGDE on 11-09-2026

Digitally
signed by
PRAMILA G V
Location:
HIGH COURT
OF
KARNATAKA



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THIS CRL.P IS FILED U/S 482 OF CR.PC (FILED U/S 528 BNSS) PRAYING TO QUASH THE ENTIRE PROCEEDINGS IN C.C. NO.475/2024, REGISTERED BY THE RESPONDENT PENDING ON THE FILE OF THE ADDL. CIVIL JUDGE AND JMFC AT KOLLEGAL, FOR THE ALLEGED OFFENCE PUNISHABLE UNDER SECTION 138 OF THE N.I. ACT.

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

CORAM: HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

ORAL ORDER

Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondents.

2. The present petition is filed for quashing the proceedings in C.C.No.475/2024, pending before the I Additional Civil Judge and JMFC, Kollegala, for the offences punishable under Section 138 of the Negotiable Instruments Act, 1881 (for short, 'the Act').

3. Learned counsel appearing for the petitioner submits that the Cheque in question does not belong to the petitioner and also not signed by the petitioner. To substantiate the contention that the Cheque does not belong to the petitioner, learned counsel for the petitioner has produced



one additional document namely the statement of account pertaining to the account reflected in the Cheque which is dishonored.

4. The statement of account reveals that the said account is in the name of one Sri.Manu M.K.

5. The learned counsel for the petitioner also submits that the accused No.1 is the proprietary concern and the petitioner is not the proprietor of the said A.R.Builders and Developers. Thus, learned counsel would contend that, the prosecution case for the alleged offence under Section 138 of the Act, against the petitioner, is untenable.

6. Learned counsel for the respondent would submit that this petition is filed belatedly. The notice was issued to the petitioner for dishonour of the Cheque under Section 138 of the Act. The notice returned with the endorsement 'unclaimed'. Thereafter, the complaint is filed, and the plea was recorded and the complainant's evidence is also led in 2024 and later this criminal petition is filed to quash the proceedings after taking several adjournments.



7. The Court has considered the contentions raised at the Bar and perused the records.

8. The document produced before this Court *prima facie* reveals that the statement of account is in the name of one Manu M.K. The account number *prima facie* reflects the account number mentioned in the Cheque which is dishonoured. Whether this account belongs to the petitioner or not, is a matter of fact which has to be considered.

9. The learned counsel for the petitioner submits that, petitioner has filed an application to summon the records relating to the account number mentioned in the Cheque.

10. If such an application is filed, the same has to be allowed and the records have to be summoned by the Trial Court to ascertain as to whether the account is maintained by the petitioner or not.

11. With these observations, the criminal petition is ***disposed of.***



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12. If it is found that the Cheque does not belong to the petitioner, the Trial Court may impose appropriate cost, on the complainant, if circumstances warrant such a measure.

Digitally Signed by ANANT
RAMNATH HEGDE on 11-09-2026

(ANANT RAMANATH HEGDE)
JUDGE

RV
List No.: 1 Sl No.: 3