



CNR: KAHC010522252026

NC: 2026:KHC:41633
CRL.RP No. 1205 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 6TH DAY OF AUGUST, 2026

BEFORE

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

CRIMINAL REVISION PETITION NO. 1205 OF 2026

BETWEEN:

MR. ARIF ULLA R,
S/O RIYAZ PASHA,
AGED ABOUT 26 YEARS,
R/AT NO.6, FLAT NO.402, 4TH FLOOR,
MASHALLA APARTMENT, MD BLOCK,
4TH CROSS, 1ST MAIN, CHAMARAJPET,
BENGALURU - 560 018.

...PETITIONER

(BY SRI. SHARANESHA S.V., ADVOCATE)

AND:

M/S. MANNAPPURAM CHITS
(KARNATAKA) PVT. LTD.,
NO.34, 1ST FLOOR, 10TH B MAIN,
OPP. COSMO CLUB,
JAYANAGAR 3RD BLOCK,
BENGALURU - 560 011,
REP. BY ITS PRESENT
ASSISTANT MANAGER,
SRI. M.R. RAMESH,
S/O RAMACHANDRAIAH,
VIDE SUBSTITUTION ORDER
DATED 26.09.2022
(IN PLACE OF THE ERSTWHILE

Digitally
signed by
SUNITHA K S
Location:
High Court of
Karnataka



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ASSISTANT BRANCH MANAGER
SRI. RAMAMURTHY,
S/O GOVINDAIAH L.),
COMPLAINANT COMPANY.

...RESPONDENT

THIS CRL.RP IS FILED U/S 397 R/W 401 CR.P.C (U/S 438 R/W 442 BNSS) PRAYING TO SET ASIDE THE JUDGMENT AND ORDER DATED 12.06.2026 PASSED BY THE HONBLE LXIII ADDL. CITY CIVIL AND SESSIONS JUDGE, BENGALURU (CCH-64) IN CRL.A.NO.753/2024 AND ALSO THE JUDGMENT OF CONVICTION DATED 05.04.2024 PASSED BY THE HONBLE XXVIII ACJM, BENGALURU CITY AND ACQUIT THE PETITIONER FOR THE OFFENCE P/U/S 138 OF N.I ACT.

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 petitioner and perused the records.

2. The factual matrix of the case of the complainant before the trial Court is that, the accused is a subscriber to a chit for an amount of ₹5,00,000/-. The accused received a prize amount of ₹3,50,000/- and paid



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the amount of ₹12,500/- per month for a period of 15 months out of a total of 40 installments and he was due for an amount of ₹3,12,310/- towards instalment Nos. 16 to 40. When the cheque was presented, and the same was dishonored for the reason 'funds insufficient'.

3. Thereafter, a legal notice was issued, but the accused did not comply with the demand. Consequently, a complaint was filed and cognizance was taken.

4. The accused did not plead guilty and claimed trial. As a result, the complainant got marked the documents Exhibit P1 to P14. Minutes extract marked as Ex.P1 and chit agreement marked as Ex.P3, and promissory note marked as Ex.P4, Exhibit P5 is the voucher and subject matter of the cheque is Exhibit P7 and legal notice as Exhibit P9 and track consignment marked as Exhibit P10.



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5. The accused did not give a reply and was examined himself as DW.1 and marked the documents Exhibit D1 and Exhibit D2. There is no dispute with regard to the payment of 15 instalments as contended by the revision petitioner. However, there is no material before the court that showing that he had paid the payment of instalments 16 to 40 and cheque is also for the remaining balance amount of chit fund.

6. The trial court considered the same in paragraph No.32, taking note that the accused was a subscriber for Chit ticket No.5 with a chit value of ₹5,00,000/- and monthly installment of ₹12,500/-. It observed that the accused paid 15 installments but not made the payment of installment Nos. 16 to 40. Further, in paragraph No.33, the Court taken note that a notice was served, but no reply was given. The accused has not taken up any contention that he paid the cheque amount within stipulated time of 15 days from the issuance of the



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notice. Having considered the material placed on record, the Court convicted and sentenced the accused in respect of the cheque amount.

7. The appellate Court, having considered the grounds, also reassessed the material and confirmed the judgment.

8. The learned counsel for the revision petitioner vehemently contended that 15 instalments have been paid, the order of this court was complied with and the amount was deposited. However, taking note of the material and record, it is not in dispute that accused was a issuer of the cheque and the installments Nos.1 to 40 and part payment was made to installment Nos.1 to 15 and no payment was made for installments 16 to 40. Hence, the subject matter of the cheque which was presented for payment and the same was dishonored. The evidence of both the complainant and DW.1 was also considered by both Courts.



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8. When such being the case, the very defence is not substantiated and hence, I do not find any ground to entertain the revision petition and findings of the trial Court and the appellate Court not suffers from its legality and correctness.

9. Accordingly, the criminal revision petition is ***dismissed.***

In view of the dismissal of the petition, I.A.No.1/2026, does not survive for consideration and is accordingly disposed of.

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

SKS