



CNR: KAHC010535432019

NC: 2026:KHC:49730
CRL.P No. 1184 of 2020

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 11TH DAY OF SEPTEMBER, 2026

BEFORE

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

CRIMINAL PETITION NO. 1184 OF 2020

BETWEEN:

SRI. KALARAM PURUHIT
S/O SALAVARAMJI
AGED ABOUT 42 YEARS,
PARTNER OF SUN INFO SERVICES / SUN IMPEX
REP. OFFICE, NO.10, 3RD FLOOR
SUDARSHAN MANSION
SUNKALPET MANSION,
SUNKALPET MAIN ROAD,
BENGALURU - 560 002.

...PETITIONER

(BY SRI. SANTHOSH U, ADVOCATE)

AND:

Digitally signed
by DEVIKA M
Location: HIGH
COURT OF
KARNATAKA

1. STATE OF KARNATAKA
HALASURU GATE POLICE STATION,
BENGALURU, REPRESENTED BY
GOVERNMENT ADVOCATE
INVESTIGATION OFFICER.
2. SRI. SHANKAR
S/O B.R. RAMASWAMY
AGED ABOUT 40 YEARS,
R/AT NO.(548) 3137
1ST CROSS, VBHS LAYOUT,
3RD BLOCK,



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BANASHANKARI III STAGE
BENGALURU - 560 085.

...RESPONDENTS

(BY SRI. SUHAS GOWDA M, HCGP FOR R1/STATE;
SRI. K. GOVINDARAJ, ADVOCATE FOR R2)

THIS CRL.P IS FILED U/S 482 OF CR.PC PRAYING TO SET
ASIDE THE ORDER DATED 17.09.2019 PASSED BY THE
HONBLE LXIV ADDITIONAL CITY CIVIL AND SESSIONS JUDGE,
BENGALURU IN CRL.RP.NO.437/2019 AND CONFIRM THE
ORDER DATED 03.05.2019 PASSED BY THE HONBLE IV
A.C.M.M., AT BENGALURU IN CR.NO.39/2019 FOR THE
APPLICATION FILED BY THE PETITIONER UNDER SECTION 451
AND 457 OF CR.PC.

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

CORAM: HON'BLE MR. JUSTICE H.P.SANDESH

ORAL ORDER

Heard learned counsel for the petitioner and learned
counsel appearing for respondent-State.

2. The Trial Court passed an order to release the
amount of Rs.20,68,783/- in favour of the petitioner herein,
who is the complainant. The same was challenged before the
Revisional Court in Criminal Revision Petition No.437/2019. The



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Revisional Court, after considering the matter, set aside the order passed by the Trial Court and directed the petitioner herein to re-deposit the said amount. The Investigating Officer was further directed to seize the amount and subject the same to Station Property Form (PF) number and report the same to the jurisdictional Magistrate for passing appropriate orders. The Trial Court is directed to pass suitable orders in accordance with law.

3. Learned counsel for the petitioner would submit that the amount was already released in favour of the petitioner and the said amount belongs to the complainant/petitioner only. The amount was seized at the instance of the accused and the offences invoked against the accused arise out of his failure to repay the amount collected by him from the complainant. The accused has already utilized the said amount and has not made any claim over the same. If the accused made any claim in respect of the said amount, the Trial Court can consider the claims of both the complainant/petitioner and the accused. If the Trial Court, after considering the claims made by the petitioner and the accused,



directs the petitioner to re-deposit the said amount, the order passed by the Revisional Court may be modified to that extent.

4. Learned counsel appearing for the respondent No.2 is absent.

5. Having heard the learned counsel appearing for the petitioner and having perused the impugned order passed by the Trial Court, the Trial Court has directed to release of the amount in favour of the complainant i.e., the petitioner herein, and accordingly, the petitioner has received the said amount. The Revisional Court directed the Trial Court to pass suitable orders in accordance with law.

6. Such being the case, the order passed by the Revisional Court is modified and the petitioner shall not be required to re-deposit the amount immediately. The Trial Court shall consider and decide the issue of interim custody of the said amount after taking into consideration the respective claims of the complainant/petitioner and the accused and determine as to who is eligible to take the said amount. If, on consideration of the respective claims of both parties, the Trial



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Court comes to the conclusion that the amount is required to be re-deposited, then the petitioner shall re-deposit the said amount.

7. With the above observations, the petition stands ***disposed of.***

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

AMA
List No.: 1 SI No.: 40