



CNR: KAHC010741132025

NC: 2026:KHC:47545
CRL.RP No. 1713 of 2025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 1ST DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE VENKATESH NAIK T

CRIMINAL REVISION PETITION NO. 1713 OF 2025

BETWEEN:

JANARDHAN MESTA
S/O. G. VITTAPPA MESTA,
AGED ABOUT 61 YEARS,
ASSISTANT ENGINEER, RURAL
DRINKING WATER SUPPLY AND
SANITATION, SUB DIVISION, NEAR
PW OFFICE, THIRTHAHALLI,
R/O. BADANE HITHLU,
BADANE HITHLU (P)
THIRTHAHALLI TALUK,
SHIVAMOGGA DISTRICT - 577432

...PETITIONER

(BY SRI. S.G. RAJENDRA REDDY, ADVOCATE)

AND:

SRI. J.R. ANANTHA RAMAN
DEAD BY LRS

1. J.A. SHANKAR
S/O. LATE J.R. ANANTHA RAMAN
AGED ABOUT 39 YEARS,
R/AT OPPOSITE VASAVI SCHOOL
KOTE ROAD, SHIVAMOGGA - 577401
2. ABHIRAM J.A.
S/O. LATE. J.R. ANANTHA RAMAN
AGED ABOUT 37 YEARS,
R/AT OPPOSITE VASAVI SCHOOL
KOTE ROAD, SHIVAMOGGA - 577401

Digitally
signed by
NAGARATHNA
M
Location: High
Court of
Karnataka



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...RESPONDENTS

(BY SRI. SACHIN B.S., ADVOCATE)

THIS CRL.RP IS FILED U/S.397 R/W 401 (FILED U/S.438 R/W SEC.442 BNSS) CR.P.C PRAYING TO SET ASIDE THE JUDGMENT AND ORDER OF CONVICTION AND SENTENCE PASSED DATED 04.01.2023 IN C.C.NO.1137/2015 PASSED BY THE IV ADDL CIVIL JUDGE AND JMFC COURT, SHIVAMOGGA AND ALSO JUDGMENT AND ORDER DATED 30.09.2025 IN CRL.A.NO.25/2023 PASSED BY THE I ADDL SESSIONS JUDGE, SHIVAMOGGA AND ACQUIT THE PETITIONER/ACCUSED FOR THE OFFENCE P/U/S 138 OF NI ACT.

THIS CRL.RP, COMING ON FOR ADMISSION, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE VENKATESH NAIK T

ORAL ORDER

Heard Sri S.G.Rajendra Reddy, learned counsel for the petitioner and Sri Sachin B.S., learned counsel for respondents. The parties are present before the Court and are duly identified by their respective counsel.

2. This Criminal Revision Petition is filed under Section 438 read with Section 442 of the Bharatiya Nagarik Suraksha Sanhita, 2023, challenging the concurrent findings of the trial Court as well as First Appellate Court.



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3. Now, the petitioner and the complainants have resolved their disputes with the intervention of elders and well-wishers from both the families.

4. In view of settlement, the petitioner and respondent No.2 have filed an application under Section 147 of the Negotiable Instruments Act, 1881, for compounding offence. The contents of application read as under:

"For the reasons stated in the accompanying affidavit, this Hon'ble Court may be pleased to permit the petitioner to compound the offence punishable U/Sec. 138 of N.I. Act with the respondents and set aside the judgment and order of conviction and sentence dtd:04.01.2023 in C.C.1137/2015 passed by the IV Addl. Civil Judge and J.M.F.C., Shivamogga and also Judgment and order dtd: 30.09.2025 in Crl. Appeal No.25/2023 passed by the I Addl. District and Sessions Judge, Shivamogga and acquit the petitioner / accused for the offence punishable U/Sec. 138 of Negotiable Instrument Act, in the interest of justice and equity."



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5. Further, in support of the application, the petitioner has filed an Affidavit. The contents of Affidavit read as under:

AFFIDAVIT OF PETITIONER

I, Janardhan Mesta S/o. G. Vittappa Mesta, Aged about 63 years, presently R/o. Chaitra Ratha, Behind Savi Bekary, Vinoba Nagara, Shivamogga - 577204, today at Bengaluru, do hereby solemnly affirm and state on oath as follows;

1. I am the petitioner in the above case, I know the facts and circumstances of the case. Hence I am swearing to this affidavit.

2. I state that the above Criminal Revision Petition is filed by me challenging the judgment and sentence dtd:04.01.2023 in C.C.1137/2015 passed by the IV Addl. Civil Judge and J.M.F.C., Shivamogga and also Judgment and order dtd: 30.09.2025 in Crl. Appeal No.25/2023 passed by the I Addl. District and Sessions Judge, Shivamogga. The facts narrated and grounds urged in the Criminal Petition may kindly be read as part and parcel of this Memorandum of Facts with a view to avoid repetition.

I state that with intervention of friends and well wishers I have settled the above matter amicably with the respondents for a total sum of Rs.5,00,000/- (Rupees



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Five Lakhs only). It is submitted that I have already deposited Rs.4,00,000/- before the Trial Court on 03.05.2023 and today I have paid Rs.1,00,000/- (Rupees One Lakh only) through online transfer to 2nd respondent's bank account and he may be permitted to withdraw the deposit amount of Rs.4,00,000/- along with interest accrued before the Trial Court as I have no objection to withdraw the same by the 2nd respondent in view of the above settlement.

4. I state that in view of the above settlement, the judgment and sentence dtd:04.01.2023 in C.C.1137/2015 passed by the IV Addl. Civil Judge and J.M.F.C., Shivamogga and also Judgment and order dtd: 30.09.2025 in Crl. Appeal No.25/2023 passed by the I Addl. District and Sessions Judge, Shivamogga, may kindly be set aside and I may kindly be acquitted in the aforesaid case.

Wherefore it is prayed that this Hon'ble Court may be pleased to pass appropriate orders as prayed in the accompanying application, in the interest of justice and equity."

6. In support of the application, respondent No.2 has also filed an Affidavit. The contents of Affidavit read as under:



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AFFIDAVIT OF RESPONDENT NO.2

I, Abhiram J.A. S/o. Late. J.R.Anantha Raman, Aged about 36 years, resident of Opposite Vasavi School, Kote Road, Shivamogga-577201, today at Bengaluru do hereby solemnly affirm and state on oath as follows:

1. I am the Respondent No.2 in the above case, I know the facts and circumstances of the case. Hence I am swearing to this affidavit on my behalf and also on behalf of Respondent No.1 who is my own brother.

2. I state that the above Criminal Revision Petition is filed by the petitioner challenging the judgment and sentence dtd:04.01.2023 in C.C.1137/2015 passed by the IV Addl. Civil Judge and J.M.F.C., Shivamogga and also Judgment and order dtd: 30.09.2025 in Crl. Appeal No.25/2023 passed by the I Addl. District and Sessions Judge, Shivamogga. The facts narrated and grounds urged in the Criminal Petition may kindly be read as part and parcel of this Memorandum of view to avoid repetition.

I state that with intervention of friends and well wishers I have settled the above matter amicably with the petitioner for a total sum of Rs.5,00,000/- (Rupees Five Lakhs only). It is submitted that the petitioner has already deposited Rs.4,00,000/- before the Trial Court on 03.05.2023 and today he has paid Rs.1,00,000/- (Rupees One Lakh only) through online transfer to my bank account and I may be permitted to withdraw the deposit



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amount of Rs.4,00,000/- along with interest accrued before the Trial Court as the petitioner has given no objection to withdraw the same by me in view of the above settlement.

4. I state that in view of the above settlement, the judgment and sentence dtd:04.01.2023 in C.C.1137/2015 passed by the IV Addl. Civil Judge and J.M.F.C., Shivamogga and also Judgment and order dtd: 30.09.2025 in Crl. Appeal No.25/2023 passed by the I Addl. District and Sessions Judge, Shivamogga, may kindly be set aside and the petitioner may kindly be acquitted in the aforesaid case.

Wherefore it is prayed that this Hon'ble Court may be pleased to pass appropriate orders as prayed in the accompanying application, in the interest of justice and equity.

7. In view of the settlement arrived at between the parties, the matter is settled for total sum of Rs.5,00,000/-, the petitioner has already been deposited Rs.4,00,000/- before the trial Court on 03.05.2023 and today he has paid remaining Rs.1,00,000/- through online to 2nd respondent's bank account and both respondent Nos.1 and 2 submits that the compromise petition may be



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accepted and set aside the judgment of conviction and sentence passed by the Courts below.

8. In view of the settlement arrived between the parties, the matter is compounded. Accordingly, the Criminal Revision Petition is ***disposed of*** and the concurrent finding of the trial court and first appellate court is hereby set aside.

9. The trial Court is directed to disburse amount in deposit in favour of respondent Nos.1 and 2 on proper identification.

In view of the disposal of the criminal petition, pending applications, if any, do not survive for consideration and the same stand disposed off.

**Sd/-
(VENKATESH NAIK T)
JUDGE**

AM/List No.: 1 Sl No.: 25