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

**DATED THIS THE 3RD DAY OF FEBRUARY, 2025**

**BEFORE**

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

**CRIMINAL REVISION PETITION NO.535 OF 2023**

**BETWEEN:**

1. M/S. MARBLE CENTRE INTERNATIONAL PVT. LTD.,
NO.373, 1ST CROSS,
3RD BLOCK, KORAMANGALA,
BENGALURU – 560 034,
REPRESENTED BY ITS ACCOUNTS MANAGER
KUSHAL SHARMA.

…PETITIONER

(BY SRI. DEVARAJA M., ADVOCATE)

**AND:**

1. M/S. IMPERIUM CONSTRUCTIONS PVT. LTD.,
NO.205, SALEH CENTRE,
CUNNINGHAM ROAD,
BENGALURU-560052,
REPRESENTED BY
SYED NAJMUL HASSAN SALEH.

2. SYED NAJMUL HASSAN SALEH,
S/O LATE HAJI MEER MOHAMMED SALEH,
AGED ABOUT 46 YEARS,
DIRECTOR,
M/S. IMPERIUM CONTRUCTIONS PVT. LTD.,
NO.205, SALEH CENTRE,
CUNNINGHAM ROAD,
BENGALURU-560052.

…RESPONDENTS

Digitally signed by DEVIKA M
Location: HIGH COURT OF KARNATAKA

THIS CRL.RP IS FILED UNDER SECTION 397 R/W 401 OF CR.P.C PRAYING TO SET ASIDE THE APPELLATE COURT

JUDGMENT OF SENTENCE DATED 17.02.2023 ONLY TO THE EXTENT OF SIMPLE IMPRISONMENT OF THREE MONTHS IN CASE DEFAULT OF PAYMENT OF COMPENSATION AMOUNT OF RS.79,97,748/- (RUPEES SEVENTY NINE LAKHS NINETY SEVEN THOUSAND SEVEN HUNDRED AND FORTY EIGHT ONLY) BY PASSING THE APPROPRIATE/ADEQUATE SENTENCE OF TWO YEARS IMPRISONMENT ON THE RESPONDENT/ACCUSED ALONG WITH SENTENCE OF FINE OF DOUBLE THE AMOUNT OF THE CHEQUES PASSED THE COURT AND PASS THE ADEQUATE SENTENCE OF IMPRISONMENT AGAINST THE ACCUSED/RESPONDENT AS PER SECTION 138 OF NEGOTIABLE INSTURMENTS ACT.

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

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

**ORAL ORDER**

This petition was filed in the year 2023 and is listed for the seventh time for non-compliance of the office objections. When the matter was listed on 22.05.2023, a week's time was granted to comply with the office objections. On 25.06.2024, a week's time was granted to do the needful. On 02.09.2024, none appeared, however two weeks time was granted to comply with the office objections. On 23.09.2024 also there was no representation on behalf of the petitioner and two weeks time was granted. On 22.10.2024, again a week's time was granted. In the previous occasion on 05.11.2024, at the request of the learned counsel for the petitioner, finally, a week's time was granted. Inspite of

sufficient opportunity was given, office objections are not complied with for a period of two years. Hence, the petition is dismissed for non-compliance of office objections.

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

MD
List No.: 1 Sl No.: 14