NC: 2026:KHC:20865
CRL.RP No. 548 of 2018

HC-KAR

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 16TH DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE V SRISHANANDA

CRIMINAL REVISION PETITION NO. 548 OF 2018
(397(Cr.PC) / 438(BNSS)

BETWEEN:

SRI. D M HAMSA
S/O. MOHAMMED MAMMU,
AGED ABOUT 43 YEARS
AGRICULTURIST,
CHOKANDALLI,
NALVATHOKLU VILLAGE,
VIRAJPET TALUK-571 218

…PETITIONER

(BY SRI MOHAMMED ASHHAR FOR
SRI. H M RAVISHANKAR, ADVOCATES)

AND:

STATE OF KARNATAKA
BY VIRAJPET RURAL POLICE STATION,
VIRAJPET - 571218.
REPRESENTED BY SPP
HIGH COURT OF KARNATAKA
BANGALORE – 560 001

…RESPONDENT

(BY SRI K.NAGESHWARAPPA, HIGH COURT GOVERNMENT PLEADER)

Digitally signed by
R MANJUNATHA
Location: HIGH
COURT OF
KARNATAKA

THIS CRIMINAL REVISION PETITION IS FILED UNDER SECTION 397 R/W 401 CODE OF CRIMINAL PROCEDURE PRAYING TO SET ASIDE THE JUDGMENT DATED 27.10.2017 IN CRIMINAL APPEAL NO.12/2014 ON THE FILE OF THE II ADDITIONAL DISTRICT AND SESSIONS JUDGE, AT MADIKERI, KODAGU, SITTING AT VIRAJPET AND THE JUDGMENT OF CONVICTION DATED 28.01.2014 IN C.C.NO.957/2011 ON THE FILE OF THE PRINCIPAL CIVIL JUDGE (JR.DN) AND JMFC AT

VIRAJPET, KODAGU AND THE REVISION PETITIONER IS ORDERED TO BE ACQUITTED OF THE CHARGES LEVELED AGAINST HIM.

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

CORAM: HON'BLE MR. JUSTICE V SRISHANANDA

ORAL ORDER

Heard Sri Mohammed Ashhar C.K., appearing on behalf of Sri H.M. Ravishankar, learned counsel for the revision petitioner and Sri K. Nageshwarappa, learned High Court Government Pleader for the respondent/State.

2. Defacto complainant appeared through Video Conferencing. Accused revision petitioner present before the Court.

3. The incident has occurred at the spur of the moment. Parties have now retraced their steps and want to have an amicable settlement. Revision petitioner is the neighbour of the complainant. Complainant submits that in order to have peace and tranquility in the area where they are living for long, he is prepared to compound the offence on accepting the reasonable amount of compensation.

4. Submission of the complainant placed on record.

5. Revision petitioner has been convicted for the offence punishable under Section 324 of Indian Penal Code which is not compulsorily punishable with imprisonment.

6. Taking note of the incident that has occurred at the spur of the moment long ago and complainant is now willing to have a peaceful life, provided the petitioner undertakes that he will not get into any such activities in future, the sentence of imprisonment ordered by the learned Trial Magistrate, confirmed by the First Appellate Court needs to be set aside by enhancing the fine amount of Rs.20,000/- payable on or before 20.05.2026.

7. Accordingly, the following:

ORDER

(i) Criminal Revision Petition is ***allowed in part.***

(ii) While maintaining the conviction of the accused for the offence punishable under Section 324 of Indian Penal Code, Sentence ordered by the learned Trial Magistrate, confirmed by the First Appellate Court is modified by directing the

revision petitioner to undergo imprisonment for the day till raising of the Court and to pay enhanced fine amount of Rs.20,000/- on or before 20.05.2026 before the learned Trial Magistrate. Failure to pay the enhanced fine amount, petitioner shall undergo imprisonment as ordered by the learned Trial Magistrate, confirmed by the First Appellate Court.

(iii) Office is directed to return the Trial Court records with copy of this order forthwith for issue of modified conviction warrant.

SD/-
(V SRISHANANDA)
JUDGE

MR
List No.: 2 Sl No.: 73