HC-KAR
NC: 2026:KHC:64825
CRL.P No. 3418 of 2021
CNR: KAHC010507872019

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 21ST DAY OF NOVEMBER, 2026

BEFORE

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

CRIMINAL PETITION NO.3418 OF 2021

BETWEEN:

1. MR. ALAN MERVYN STEPHENSON,
S/O MR. MERVYN ARTHUR,
AGED ABOUT 58 YEARS,
RESIDING AT NO.105,
WOODSTOCK ROAD,
FINSBURY PARK,
LONDON, N4 3EU,
UNITED KINGDOM.

ALSO AT: GROUND FLOOR, BLOCK D,
NEAR ASHA BHAVAN, NONGRAH,
NONGPDENG, EAST KHASI HILLS,
SHILLONG-793006,
MEGHALAYA, INDIA.

...PETITIONER

(BY SRI. ANAND MUTTALLI, ADVOCATE)

Digitally signed by DEVIKA M
Location: HIGH COURT OF KARNATAKA

AND:

1. MR. J. XAVIER,
S/O MR. JAYARAJAN,
AGED ABOUT 53 YEARS,
NO.1, 3RD CROSS,
KEERTHI LAYOUT,
KAMMANAHALLI,
BENGALURU-560084.

...RESPONDENT

CNR: KAHC010507872019

THIS CRIMINAL PETITION IS FILED UNDER SECTION 482 OF CR.P.C PRAYING TO QUASH THE ORDER DATED 21.10.2019 PASSED BY THE HON'BLE LXV ADDL. CITY CIVIL AND SESSIONS JUDGE, BENGALURU, IN CRL.RP.NO.328/2018 VIDE ANNEXURE-A.

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 petition was filed in 2021 against the dismissal of the complaint on 16.06.2017. The same was challenged before the Revisional Court in 2018 and the same was rejected confirming the order of dismissal vide order dated 21.10.2019.

2. This Court vide order dated 18.11.2026 observed that though this petition was filed in 2021, the learned counsel for the petitioner is not pursuing the matter and there is no representation. However, this Court granted an opportunity to the learned counsel for the petitioner to assist the Court having noticed that the matter was not listed from 18.12.2021 and also made it clear that if the learned counsel for the petitioner fails to appear in the next date of hearing, the petition will be dismissed.

3. Now the learned counsel who is not having any NOC vakalath comes before the Court. When such being the case, he cannot make any submission before the Court in the absence of any vakalath and he has no any locus to make any submission. When this Court granted time, the learned counsel for the petitioner has not pursued the matter. The Trial Court dismissed the complaint and the Revisional Court in detail passed an order confirming the order of dismissal of the complaint and hence, this Court cannot find any grounds to continue this petition after five years.

4. In view of the discussions made above, I pass the following:

ORDER

The petition is dismissed.

Sd/-
(H.P.SANDESH)
JUDGE

MD
List No.: 1 Sl No.: 21