HC-KAR

NC: 2026:KHC:62493
CRL.RP No. 1156 of 2025

CNR: KAHC010513852025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 11TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MRS. JUSTICE GEETHA K.B.

CRIMINAL REVISION PETITION NO. 1156 OF 2025

BETWEEN:

NOUFAL N.P. @ LOPAL,
S/O IBRAHIM P,
AGED ABOUT 40 YEARS,
SAPIRAMANJIL, KOLATHUMALA,
ANJARAKANDI, THALASSERY,
KERALA STATE - 670 612.

...PETITIONER

(BY SRI. SHAFEER A.A., ADVOCATE)

AND:

THE STATE OF KARNATAKA,
BY HUNSUR CIRCLE INSPECTOR,
HUNSUR,
REPRESENTED BY THE SPP,
HIGH COURT COMPLEX,
BENGALURU - 560 001.

...RESPONDENT

(BY SRI.VINAY MAHADEVAIAH, HCGP)

THIS CRL.RP IS FILED U/S 397 R/W 401 OF CR.P.C (U/S 438 R/W 442 BNSS) PRAYING TO a) SET ASIDE AND QUASH THE JUDGMENT OF CONVICTION AND SENTENCE DATED 20.06.2012 PASSED BY THE LEARNED DISTRICT AND SESSIONS JUDGE, MYSORE IN CRL.A.NO.68/2007 AND THE JUDGMENT OF CONVICTION AND SENTENCE DATED

Digitally Signed By:
K B GEETHA

01.02.2007 PASSED BY THE LEARNED CIVIL JUDGE (JR.DN) AND JMFC, HUNSUR, IN CC.NO.88/2006.

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

CORAM: HON'BLE MRS. JUSTICE GEETHA K.B.

ORAL ORDER

1. IA No. 1/2025 is filed under Section 5 of the Limitation Act, 1963 to condone the delay of 3949 days in filing the revision petition.

2. In the affidavit annexed to IA No. 1/2025, the revision petitioner stated that the appellate Court has passed the judgment on 20.06.2012 by confirming the Judgment of conviction and order of sentence passed in CC No. 88/2006. He contacted an advocate of Bengaluru and the said advocate assured him that he would file the revision petition. Afterwards, the revision petitioner had been to abroad in 2013 for employment and he lost his contract with the said advocate after COVID-19 pandemic. Only recently, by receiving some legal communications and with the help of his friends, he came to know that no

Digitally Signed By:
K B GEETHA

such revision petition was filed. Thus, the delay in filing the criminal revision petition is for the aforesaid *bonafide* reasons and not deliberate ones. Hence prayed for allowing IA No.1/2025.

3. HCGP has orally objected to the I.A.

4. The office has made calculation of 3949 days by excluding the COVID-19 pandemic period of 716 days. In the present case, the judgment was passed on 20.06.2012 whereas the revision petition is filed on 30.07.2025. Long prior to commencement of COVID-19 pandemic, the period of limitation is lapsed. Once the period of limitation begins to run, it cannot be stopped by any future event. Thus, this 716 days COVID-19 period is also to be added to the number of days of delay. However, the period of COVID-19 pandemic would be a good cause for the revision petitioner to condone delay of 716 days.

5. Thus, the number of days delay in filing the revision petition is 4665 days.

Digitally Signed By:
K B GEETHA

6. The averments made in the affidavit annexed to IA No.1/2025 made it very clear that the revision petitioner was fully aware about passing of Judgment by the appellate Court confirming the Judgment of conviction passed by the trial Court. However, knowing full well all these facts, he flew away from India in 2013. This shows that the revision petitioner is having scant respect on the law of the land.

7. Even the name of the advocate to whom he requested to file the revision petition is not mentioned in the affidavit annexed to IA No.1/2025. This shows that there is an extraordinary inordinate delay in filing the revision petition without any reasons.

8. Under these circumstances this enormous delay without any reason cannot be condoned. Hence this Court passes the following:

ORDER

I. IA No. 1/2025 is ***dismissed***.

Digitally Signed By:
K B GEETHA

II. Consequently the revision petition is ***dismissed*** as barred by limitation.

III. Pending IAs stands disposed of.

IV. The revision petitioner is directed to surrender before the trial court to undergo the sentence.

Digitally Signed By:
K B GEETHA

(GEETHA K.B.)
JUDGE

LL
List No.: 2 Sl No.: 4