HC-KAR
NC: 2026:KHC:61966
CRL.P No. 15063 of 2026
CNR: KAHC010674612026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 6TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

CRIMINAL PETITION NO.15063 OF 2026
[482(Cr.P.C)/528(BNSS)]

BETWEEN:

SRI C.R. MUNIYAPPA
S/O RAMAIAH,
ALSO KNOW AS MUNIYAPPA C.R. GOWDA,
AGED ABOUT 45 YEARS,
RESIDING OF:159/79,
NEAR SHIVA GANAPATHI TEMPLE,
CHANNANAYAKANAPALYA, NAGASANDRA POST,
BENGALURU - 560 073.

...PETITIONER

(BY SRI SATYANARAYAN CHALKE, ADVOCATE)

AND:

SRI RAMESH N.
SINCE DEAD, REPRESENTED BY HIS LEGAL
REPRESENTATIVE: SMT. SUNITHA R.,
W/O LATE RAMESH N.
AGED ABOUT 41 YEARS,
RESIDING AT: NO.352,
10TH CROSS, NEAR USHA PRINTERS,
CHOKKASANDRA, T. DASARAHALLI,
BENGALURU - 560 057.

...RESPONDENT

THIS CRIMINAL PETITION IS FILED UNDER SECTION 528 OF THE BHARATIYA NAGARIK SURAKSHA SANHITA, 2023, PRAYING TO SET ASIDE/MODIFY CONDITION NO.(I) OF THE ORDER DATED 02.09.2026 PASSED IN I.A. NO.1 OF 2026 IN CRIMINAL APPEAL NO.3807 OF 2026 TO THE EXTENT IT DIRECTS THE PETITIONER TO

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RAMNATH HEGDE

DEPOSIT 20% OF THE CHEQUE AMOUNT AND BE PLEASED TO EXEMPT THE PETITIONER FROM THE SAID DEPOSIT CONDITION.

THIS CRIMINAL PETITION IS COMING ON FOR ADMISSION, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

ORAL ORDER

Heard the learned counsel for the petitioner.

2. This petition is filed challenging the order passed by the Appellate Court directing the petitioner/appellant to deposit 20% of the cheque amount in a proceeding under Section 138 of the Negotiable Instruments Act, 1881.

3. The cheques were allegedly issued in the year 2022. There are two cheques, each for Rs.30,00,000/-, and the Trial Court has imposed a fine of Rs.20,000/- in excess of the cheque amount.

4. This Court does not find any error in the order passed by the Appellate Court directing the petitioner to deposit 20% of the cheque amount as a condition precedent for suspension of sentence.

5. It is also noticed that order was passed on 02.09.2026 and four weeks time was granted to the petitioner

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to deposit the amount and later, vide order dated 02.10.2026, the time is extended by another four weeks. It is eight weeks now since the order is passed. However, the amount is not deposited. It is submitted that the period would expire tomorrow.

6. Learned counsel for the petitioner would submit that the petitioner be granted further eight weeks to comply the order. The Court is not inclined to grant eight weeks time. However, considering the submission that the account of the accused was freezed prior to the presentation of the cheque and the cheque which is said to have been presented is non-CTS cheque, the time is extended by another four weeks from today.

7. This Court is conscious of the fact that this extension of time is granted without issuing notice to the respondent. Hence, the respondent is permitted to move this Court for modification of the order, if aggrieved.

8. Criminal petition ***disposed of*** accordingly.

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In view of the disposal of the petition, pending interlocutory applications, if any, shall stand dismissed.

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(ANANT RAMANATH HEGDE)
JUDGE

KVK
List No.: 1 Sl No.: 48