

**IN THE COURT OF VI ADDL.DISTRICT & SESSIONS
JUDGE, BENGALURU RURAL DISTRICT,
BENGALURU.**

Dated this the 27th day of July, 2026

PRESENT

Sri. Devananda, B.Com., LL.M.
VI Addl. District & Sessions Judge,
Bengaluru Rural District, Bengaluru.

Crl. Appeal No.73/2024

Appellant: D.M. Shashidhar,
S/o. Madegowda,
Aged about 45 years,
R/at Thotadamane,
Deshani, Deshani Post,
Javagal Hobli,
Arsikere Taluk,
Hassan District.

(Rep. By Madhu K T - Advocate)

-Vs-

Respondent: H.P. Prashanth,
S/o. Panchakshri,
Aged about years,
R/at No.25, No.3,
Soundarya Guest House,
Kumbara Street,
Pump House Road,

Channasandra, Kadugodi Post,
Bengaluru – 560 067.

(By Sri. Ganapathi S Shastri - Advocate)

JUDGMENT

The appellant/accused has preferred this appeal U/Sec.374(3) of Cr PC challenging the validity, legality and correctness of Judgment of conviction and sentence passed by learned Additional Chief Judicial Magistrate, Bengaluru Rural District, Bengaluru, in C C No.7537/2017 dated 18.09.2024, wherein the trial Court has convicted the accused/appellant for the offence punishable U/Sec.138 of Negotiable Instruments Act.

2. The case of complainant before trial court is as follows;

That, the complainant and accused are well known to each other from several years. On the basis of said acquaintance, in first week of November 2016 the accused has approached the complainant for financial assistance of Rs.4,00,000/- for his urgent need. After the discussion with accused, on 20.11.2016 the complainant has advanced the

loan amount of Rs.4,00,000/- by way of cash from his agricultural and salary savings and accused promised to repay the said amount within three months. The accused has issued a postdated cheque bearing no.760342 dated 27.03.2017 for a sum of Rs.4,00,000/- drawn on Indian Overseas Bank, Arsikere Branch, Arsikere. After lapse of stipulated period on 27.03.2017, the complainant has presented the said cheque through his banker i.e., HDFC Bank Ltd., ITPL branch, Bengaluru. But the said cheque was dishonored for the reason **“FUNDS INSUFFICIENT”** and issued bank endorsement dated:28-03-2017. Thereafter the complainant has issued legal notice to accused on 11.04.2017 through RPAD and the said notice was returned with postal endorsement ‘Not claimed’. In-spite of receipt of legal notice, the accused has not repaid the loan amount within mandatory period. Hence this complaint preferred by complainant seeking for punishment of accused U/sec.138 of NI Act.

3. After issuance of summons, appellant/accused has appeared before trial court through his counsel and he was enlarged on bail. Plea was recorded.

4. In order to prove his case, the complainant examined him as PW1 and got marked the documents as per ExP1 to ExP5. In order to prove his defense, the accused has not cross examined PW1 and has not produced any oral or documentary evidence from his side as defense evidence.

5. The trial Court after considering the oral and documentary evidence available on record and after hearing both parties, has convicted the accused for the offence punishable U/Sec.138 of Negotiable Instruments Act and ordered that Accused shall pay a fine of Rs.4,10,000/- (Rupees Four Lakhs Ten Thousand only). In default accused shall undergo simple imprisonment for six months. Out of that amount accused shall pay Rs.4,00,000/- to the complainant as compensation and remaining fine amount of Rs.10,000/- shall be remitted to the State exchequer.

6. Being aggrieved by above said judgment of conviction and sentence passed by trial Court, the appellant/accused has filed this appeal on following Grounds:

(a) It is submitted that, the judgment and conviction passed by learned Addl. Chief Judicial Magistrate, Bengaluru Rural District, Bengaluru in CC No.7537/2017 dated 18.09.2024 is totally perverse, illegal, unlawful and bad in law and therefore the same is liable to be set-aside.

(b) It is submitted that, the impugned judgment and conviction passed by trial court is contrary to facts, materials and evidence placed on records and as such the judgment and conviction is liable to be set-aside.

(c) It is submitted that, the learned Magistrate erred in placing much reliance upon the evidence of PW1 when his evidence is totally unbelievable, unacceptable and throws great doubt upon his credibility and reasonability.

(d) It is submitted that, the learned Magistrate has placed unreasonable reliance upon the unbelievable and uncorroborated evidence of PW1 and opportunity was not given for cross examination of PW1, even though request was made before the Hon'ble trial Court for cross examination of PW1. The trial court has not given sufficient opportunity and concluded the case, which is

contrary to law.

(e) It is submitted that, there is no financial transaction between appellant and respondent. The appellant has lost his cheque. After receiving the summons from trial court, he came to know that the case was registered against him which clearly establish that, the respondent having dishonest intention to cheat the appellant, has filed false complaint which is bad in law.

(f) It is submitted that, once he got the notice from court he was shocked about having possession of cheque of him by respondent. In spite of having knowledge of the same, the respondent has kept the accused in dark and has issued the notice and has filed false complaint. Hence the appellant was unable to send reply notice.

(g) It is submitted that, on going through entire records the following grounds were found:-

1. Debt of liability not established.
2. No cogent evidence for due of such huge amount.
3. Alleged charges not proved.
4. If ExP1 was drawn by accused without

accepting liability of another in writing it would not attract section 138 of NI Act.

5. No supporting material evidence were produced.

(h) It is submitted that, the cheque in question is not at all admitted fact.

(i) It is submitted that, there is no transaction held between the appellant and the respondent, the learned Magistrate not considering the ground of the appellant and not given sufficient opportunity to cross examine PW1 and to lead defense evidence. Instead the learned Magistrate has concluded the case, which is bad in law.

(j) It is submitted that, the appellant came to know about the case only after issuance of summons from trial court, as complainant managed not to serve notice on accused which was not received by accused as it was not served on him and thereby the respondent has not at all complied the mandatory provisions of NI Act. Hence the complaint itself is Null and Void.

(k) It is submitted that, the learned Magistrate has committed a grave error in not exercising his judicial mind

and no opportunity was given to settle the matter and time for cross examination of complainant by following established principles and has passed the judicial pronouncement. Hence judgment of conviction of trial court is require to be set aside.

(l) It is submitted that, the learned Magistrate throughout his judgment has delivered and discussed materials, documents and evidence favorable to the respondent only and failed to give opportunity to the appellant to contest his case effectively.

(m) It is submitted that, the learned Magistrate's judgment is based on inadmissible documents and inadmissible evidence and the learned Magistrate further placed his opinion on the imaginary grounds and surmises and the same is liable to be set-aside.

(n) It is submitted that, right from the beginning of the trial the learned Magistrate was in concluded mind of convicting the appellant accordingly no documents have been appreciated while making discussion and while passing judgment.

(o) It is submitted that, the learned Magistrate's

judgment in total is contrary and opposed to law, facts and probabilities.

(p) It is submitted that, the appellant have not filed any other appeal before any other court for the same relief. The appellant applied certified copy of order on 19.09.2024, but the certified copy was issued on 19.10.2024, hence there is delay in filing of appeal.

(q) It is submitted that, the appellant craves the permission of this Hon'ble Court to urge additional grounds.

On these among other grounds the accused/appellant prays this court to set aside the impugned judgment and sentence passed against him.

7. Heard Arguments of both sides. Respondent counsel has also furnished written arguments. Perused TCR and materials available on record.

8. Following points arise for consideration of this court are as here under:

- 1) Whether judgment of conviction and sentence passed by ACJM Court, BRD, Bengaluru in CC No.7537/2017, dated

18.09.2024 is erroneous, improper and deserves to be set aside?

2) Whether the impugned judgment calls for interference by this Appellate Court?

3) What order?

9. The answers of this court on the above points are as follows;

Point No. 1 : In the Affirmative.

Point No. 2 : In the Affirmative.

Point No. 3 : As per final order for the following :-

REASONS

10. **POINT NO.1 & 2** : Since these two points are interlinked with each other, in order to avoid repetition of facts and evidence they are taken up together at once for discussion.

11. The facts contended by both sides and the witnesses examined by both sides and the documents produced by both sides already stated supra. Therefore,

once again reiterating of same is not necessary. With the light of aforesaid facts, it is just and necessary to go through the materials placed before the trial court.

12. Before having discussion on merits of the case, at first it is just and necessary to ascertain, whether the accused has faced the fair trial before trial court? Whether principles of natural justice was followed? Whether accused was provided sufficient opportunity to cross examine the complainant side witnesses? Whether he was provided with opportunity to lead his defense evidence to rebut the evidence placed by the complainant? In this regard it is just and necessary to have glance on the records of trial court.

13. On examination of trial court proceedings as per order sheet available, the trial court has taken notice of the complaint and has order for put up records for sworn statement on 20/05/2017 and posted the matter to 31/05/2017. The trial court has given opportunity to complainant to lead sworn statement till 31/08/2017 and on said date has recorded his sworn statement and has

ordered for register the case as PCR and posted the matter by issuing process to accused, to 30/11/2017. Summons was re-issued to accused till 31/08/2018. On 01/08/2018 PO was on leave and matter was adjourned to aforesaid date. On 31/08/2018, steps by RPAD and PF furnished and process issued through RPAD. Till such time the trial court has given opportunity to complainant to take steps by RPAD against accused. On 18/01/2019, the process of NBW issued against accused by trial court as RPAD returned unserved as refused. The trial court has not issued the Bailable warrant against accused after issuance of summons. It straight away issued NBW against accused. On 20/09/2019 the accused by filing advancement application has appeared before court and the bail was granted to accused on that day and NBW was recalled. On same day the trial court has recorded the plea of accused and posted the matter for complainant evidence to hearing date 30/09/2019. From 30/09/2019, the complainant and his counsel were absent on several dates before court and matter was posted to 16/01/2020. From 16/01/2020 the matter was posted to 03/05/2020 and from

03/05/2020 the matter was posted to 12/06/2020. From 12/06/2020, due to Covid-19 pandemic the courts were closed till 23/11/2020. From 23/11/2020 the matter posted to 19/03/2021. On 19/03/2021 the PO was on leave and matter adjourned to 03/07/2021. On 03/07/2021 both sides were absent and court notices issued to them and adjourned to 01/09/21. On 01/09/2021 the PO was on leave and matter was posted to 17/09/2022. On 17/09/2021 no representation from either side. For steps matter posted to 16/10/2021. On 16/10/2021 PO was on leave and matter posted to 15/11/2021. On 15/11/2021 the NBW was issued and matter adjourned to 17/03/2021. On 17/03/2021 no representation from complainant, for steps matter posed to 11/05/2022. On 11/05/2022 the PO was on leave and matter posted to 06/07/2022. On 06/07/2022 NBW issued to accused. After reopening of courts which were closed due to Covid-19, in spite of non service of court notices and not taking of steps by complainant by appearing before the court the NBW was issued by trial court. The PO of trial court was also on leave for several days. Till 28/03/2023 NBW was re-issued in the absence

of complainant and his counsel in spite of not taking of steps. On 28/03/2023 the PO was on leave and matter posted to 03/05/2023. Meanwhile the accused was present and NBW was recalled and matter was posted to 03/05/2023. On 03/05/2023 matter adjourned to 18/05/2023. On 18/05/2023 again NBW against accused issued and matter was posted to 10/07/2023. On 10/07/2023 accused was present and NBW was recalled. The matter again posted for complainant side evidence till 01/04/2024. The complainant and his counsel were not appeared before court during in between dates stated supra. In spite of their non appearance the trial court has granted sufficient opportunity to complainant to lead his evidence. It has even make note of non appearance of complainant from long time and has given final opportunity on 03/10/2023. In spite of specific order of court, the complainant has not appeared on subsequent dates till 01/04/2024 as stated above. On 01/04/2024 the complainant has filed application to lead secondary evidence and it was dismissed as not maintainable. The trial court has provided liberty to lead secondary evidence

by laying proper foundation in accordance with law. In spite of making such order without making any proper foundation in accordance with law to lead secondary evidence by complainant, immediately on same date it allowed the complainant to lead evidence and complainant examined him as PW1 and placed exhibits as per ExP1 to ExP5. Counsel for complainant prays time for further chief and matter adjourned to 29/04/2024. Till 18/09/2024, the PO was on EL/Leave/transfer. On 18/09/2024 there is no note of trial court regarding presence or absence of complainant. It only mentioned counsel for complainant closed his side, accused absent, no representation, hence defense evidence taken as Nil. Heard for judgment by. Accused regularly absent before court hence recording statement of accused under section 313 of Cr PC dispensed, heard for judgment and pass over the matter and has passed the judgment on same date that is on 18/09/2024. The aforesaid proceedings clearly exhibit the non application of Judicial mind by trial court by following the requisite procedure known to law. The trial court has followed its own procedure. The trial court in

the absence of complainant on the submissions of counsel for complainant has closed the complainant side evidence who on previous occasion prays time for further examination in chief. In the absence of complainant after closing of further examination in chief of complainant, it has not posted the matter for cross examination of complainant by accused. It has not provided the stage for cross examination of PW1 by accused. Thereafter it has not posted the matter for recording statement of accused, though the complainant has placed his oral and documentary evidence by notifying the incriminating evidence found against the accused to meet the same by him. It has not provided the stage to lead defense evidence by accused. All the aforesaid illegal proceedings made by the trial court in the absence of complainant and the accused. It first stated accused absent, no representation, hence defense evidence taken as nil. Heard for judgment K/by. It continued the proceedings again by mentioning accused regularly absent before court. Hence recording of statement of accused U/section 313 dispensed. Heard for judgment K/by and has passed the judgment in the absence

of accused. Very stunning and astonishing proceedings adopted by trial court to dispose of the matter hurriedly instead of deciding of the matter on merits. The procedure adopted by the trial court appears to be unknown to law and against the principles of natural justice and fair hearing of accused. The court has not issued coercive process to secure the accused on his absence. In the absence of accused and complainant it has closed the stage of further examination of complainant, cross examination of complainant, not recorded the statement of accused under section 313 of Cr PC, not providing opportunity to lead defense evidence, not hearing the parties and has passed the judgment in hurried manner. It is further necessary to state here is that, the complainant has sought for placing of secondary evidence without laying foundation as per order of trial court while dismissing his application. In spite of it, the trial court has recorded the evidence of complainant on same day and has conducted further proceedings in the aforesaid manner. The original cheque and endorsement were not placed before the trial court. The photocopies were marked in the absence of

accused. The bank letter as per ExP3 furnished. ExP5 promissory note and consideration receipt furnished. Though there is no reference in legal notice and complaint about execution of promissory note and consideration receipt by accused it was placed. The trial court without making any discussion about not placing of primary evidence, considering photocopies instead of certified copies/attested bank copies or true copies, without summoning bank records, without examining bank officials, without placing requisite records regarding lost negotiable instruments, without considering the provisions of NI Act, without considering the civil remedy under the provisions of CPC regarding preferring of suit on lost negotiable instrument, without discussing the point of law, facts involved in case on hand, has passed the judgment of conviction by throwing all norms of law, by not making observations and recording reasons under Sections 353(7) and 418(2) of CR PC. The proceedings of trial court on the face of it exhibit the nature of unlawful or illegal proceedings adopted by it without following the procedure known to law, without following the principles of natural

justice, without hearing the accused, without providing opportunity to meet the incriminating evidence found against him, without notifying the incriminating materials against accused in the absence of such materials or evidence has passed the judgment. The trial court without reissuing the coercive process against accused has passed the judgment of conviction against accused by imposing fine amount and default sentence and granted compensation out of said amount and towards state expenses.

14. The complainant has lead oral evidence and has placed the documents in his examination in chief was not cross examined by accused according to trial court. But, the trial court has not considered the said oral and documentary evidence placed by complainant which is incriminating materials or evidence found against accused for the purpose of application of presumptions as per law to arrive at conclusion whether the complainant has discharged his initial burden of proving of the facts as per law. Therefore, the said incriminating facts to be notified to the accused by recording his 313 statement on the basis

of materials placed by the complainant, to meet the same by accused to place his rebuttable evidence if any. But the trial court under the pretext of not cross examining the PW1 by accused without providing the said stage itself has dispensed the very recording of statement of accused U/S 313 of Cr PC. In the absence of incriminating materials without recording the statement of accused, the trial court has passed the judgment of conviction without giving the stage for leading defense evidence by accused. The same not appears to be prudent exercise of the powers conferred upon it by trial court. The reasons assigned by trial court for not recording the statement of accused U/S 313 of Cr PC, stated supra is not in accordance with law. When the incriminating materials placed by complainant in the form of oral and documentary evidence, the trial court ought to have notify such incriminating materials found against the accused to rebut the same. Without mentioning and notifying the same against accused the trial court has passed the judgment of conviction in the absence of accused. The trial court has conducted almost all proceedings in the absence of accused on only one day and

has passed the judgment. The accused was prevented from taking active participation in all the stages of proceedings. The trial court after dispensing the recording statement of accused has posted the matter for arguments. The matter was not posted to the stage of defense side evidence if any. Both sides were not even heard by trial court as per trial court proceedings. The trial court instead of issuing process of NBW against accused has proceed to pronounce judgment. It not even given a single opportunity to accused to do the needful and disposed off the case in his absence. Several stages closed at one shot by trial court and the said fact also not known to accused as he was not present and no reference about presence of his counsel before trial court was also made. Therefore, it could be ascertained that, the accused was not even heard. The opportunity was not provided to him to put forth his case. In his absence by making aforesaid note the trial court has closed three to four stages at once and has passed the judgment. The accused was prevented to cross examine-PW1, accused prevented to meet the incriminating materials by recording his statement, accused prevented to

answer such incriminating materials and to lead defense evidence, accused prevented to submit his arguments. Therefore at each and every stage the accused/appellant has not taken active participation. Further, at the time of passing of judgment the trial court has not stated what are the circumstances which made it to pronounce judgment in the absence of accused/appellant by recording its reasons by virtue of provisions Section's 353(7) and 412(8) of Cr PC. It has passed the order of conviction to undergo sentence of six months SI as default sentence by imposing the fine amount as Rs.4,10,000/-. Therefore, the aforesaid proceedings of trial court not appears to be the proceedings held in accordance with law by following the principles of natural justice and by accommodating fair trial to the accused/appellant. The trial court has adopted its own procedure by throwing all norms of law by not following the settled principles of law and has adopted illegal method or procedure. In a hurried manner the trial court proceed in the absence of accused without securing him and proceed to dispose of matter in his absence rather than deciding the case on merits in the presence of accused.

Justice hurried is nothing but justice buried. The approach of trial court not appears to be the prudent approach. Instead it appears to be pedantic approach. It has not even considered the Covid-19 pandemic situations and the people exposed to such situations at relevant point of time. Therefore, there is substance in the ground urged by appellant/accused through present counsel on record. The accused was prevented from put forth his case effectively before court. The court has not provided sufficient opportunity to accused. There is no fair hearing or trial of accused. The principle of Audi alter-am part-em was not followed. Even on the date of passing of judgment of conviction also, the accused was not present and he was not heard. There is no inordinate delay caused by accused by remaining frequently absent before court or by remaining long absent or abscond from the process of court. The substantial amount has been involved. Further, the sufficient opportunity was also not provided to him to put forth his defense as discussed above.

15. The trial court in paragraph no. 9 to 15 of its judgment has opined and based its conviction judgment on

the basis of photocopies of cheque, Endorsement, and bank letter and considered promissory note and consideration receipt, though there is no reference about execution of those documents in legal notice and complaint. Without making proper discussion as to not placing of primary evidence, relevancy of secondary evidence, whether any foundation laid in pleadings, steps taken in this regard, relevancy of documents, presumptions etc, the trial court has passed the judgment. The four to five stages closed on same day in the absence of accused. It opined the accused not cross examined, no defense evidence placed, not rebutted the evidence of complainant, though it has not provided opportunity to do the needful by the accused. By making such an observation, the trial court has answered the Point No.1 in the Affirmative by applying the presumption under the provisions of NI Act in paragraph no.15 of its Judgment. As discussed above, in order to challenge and to rebut the evidence of complainant the accused was not provided with sufficient opportunity by providing stage to cross examine PW1, by providing stage to answer incriminating evidence by

recording his statement under Section 313 of Cr PC, by providing stage to lead defense side evidence, by providing opportunity to submit arguments. At each and every stage he was prevented from doing his act stated supra. Most of the court proceedings held by trial court in the absence of accused on one single day. It even passed the judgment in the absence of accused without issuing coercive process to secure the accused due to absence of accused. The trial court under the eagerness to dispose of the case at the earliest, rather than deciding of the case on sound principles of law on merits ventured in a hurried manner and disposed off the case. Therefore the approach of trial court in disposing of the matter without following the principles of natural justice, without hearing the accused, in a hurried manner not appears to be sound exercising of the judicial power conferred upon it being criminal court. The substantive rights of accused should not be defeated by adopting illegal procedure or proceedings by trial court. The accused has suffered the order of conviction, without providing proper opportunity to put forth his case. Hence, under the circumstances this

court is of the opinion that the basis for passing of judgment of conviction and sentence on accused not appears to be justifiable and reasonable. The accused has made out some of the grounds urged in his grounds of Appeal. By virtue of aforesaid reasons in not providing of sufficient and proper opportunity to accused to represent his case and conduct his case, it is not necessary to discuss other aspects regarding oral and documentary evidence on merits. Because the judgment passed by trial court on the face of it appears to be illegal and of one sided. There is no active participation of accused in the case on hand effectively. The mere participation of accused is not sufficient. Having discussion on other facts regarding presumptions, documents, its effects, shifting of onus, discharging of such onus, placing of rebuttable evidence or not, existence of legally recoverable debt, its discharge etc is not necessary. Because the case was not at all decided on merits. Therefore, for the aforesaid reasons this court is of the opinion that, the accused/appellant has made out certain grounds of appeal and has discharged his burden of proving of facts as per Point No.1.

16. As discussed above, the accused/appellant able to prove the point no.1. The accused/appellant is require to be provided reasonable opportunity to put forth his defense, by way of cross examining PW1/complainant, to meet out the incriminating evidence to subject to the process of recording of statement of him U/S 313 of Cr PC, to step in to witness box by leading his defense evidence, by addressing his arguments on merits effectively by taking active participation in court proceedings. Hence, in order to do the same, it is just and necessary to remand the matter to trial court to dispose off the matter afresh on merits by providing sufficient opportunity to the accused in the aforesaid manner. Therefore, for the aforesaid purpose in the aforesaid manner the interference of this court is very much required. Hence, the accused/appellant has discharged his burden of proving of the facts as per Point No.2. Therefore this court hereby answer the **Point No.1 & 2 in the Affirmative.**

17. It is further necessary to state here is that, it is because of nature of proceedings adopted by the trial court

both parties were exposed to inconvenience as the matter was not decided on merits and matter is required to be remanded as per the discussion made above. Therefore, imposing of costs on accused/appellant while remanding of the matter to trial court is not appears to be reasonable or justifiable under the facts and circumstances of this case by virtue of trial court proceedings, to compensate the complainant, in the interest of justice.

18. **POINT NO.3:-** By virtue of answers of this court on **Point No.01** and **Point No.02**, which held in the Affirmative, this Court proceed to pass the following;

ORDER

The appeal filed by appellant/accused U/Sec.374 (3) of Cr PC is hereby allowed. No order as to costs.

The judgment of conviction/sentence passed by Additional Chief Judicial Magistrate, Bengaluru Rural District, Bengaluru, Dated 18/09/2024 in CC No.7537/2017 is hereby set aside.

Consequently the matter CC. NO.7537/2017 is hereby restored to its original file and remanded back to trial Court for fresh adjudication of matter. The trial court is required to provide reasonable and sufficient opportunity to accused/appellant to cross examine PW1, to record statement of accused U/S 313 of Cr PC, to provide reasonable and sufficient opportunity to place his defense evidence, to provide reasonable and sufficient opportunity to advance his arguments on merits and then to dispose off the matter on merits in accordance with law, as expeditiously as possible preferably on day to day basis as the matter being old of the year 2017, without being influenced by any of the observations or findings made by this court.

Office to send the copy of this judgment along with TCR forthwith to trial Court.

(Typed to my dictation by Stenographer Grade-I, directly on Computer, corrected by me and then pronounced in the open Court on this **27th Day of July, 2026**)

(Devananda)

VI Addl. District & Sessions Judge,
Bengaluru Rural District, Bengaluru.

Judgment pronounced in open court
(vide separate)

ORDER

The appeal filed by appellant/accused U/Sec.374 (3) of Cr PC is hereby allowed. No order as to costs.

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sufficient opportunity to place his defense evidence, to provide reasonable and sufficient opportunity to advance his arguments on merits and then to dispose off the matter on merits in accordance with law, as expeditiously as possible preferably on day to day basis as the matter being old of the year 2017, without being influenced by any of the observations or findings made by this court.

Office to send the copy of this judgment along with TCR forthwith to trial Court.

VI Addl. District & Sessions Judge,
Bengaluru Rural District, Bengaluru.