

Case called out.

Sri RVB files for Vakalath for respondent society.

Heard the Counsel for Appellant and respondent on delay application.

Perused the application, affidavit enclosed to the application and grounds in the appeal memo.

The Appellant has stated in the affidavit that, as the Appellant fell ill and he was suffering from several ailments and due to financial problem, he is unable to prefer appeal and hence there is a delay of four days in filling the Appeal.

The Appellant has shown sufficient reason to condone the delay. Hence the delay of 4 days in filling the appeal is hereby condoned.

The Appellant/Accused has filed this Appeal challenging the Judgment of conviction dated 01-08-2025 passed by the Addl. Civil Judge & JMFC, Honnavar, in C.C.No.562/2024.

Along with appeal, the Appellant has filed an application under Section 430 of BNSS, seeking suspension of sentence, passed in C.C.No.562/2024.

The Addl. Civil Judge & JMFC, Honnavar has convicted the Appellant / Accused in C.C. No. 562/2024 dated 01-08-2025 and sentenced to pay a fine of Rs.80,000/- and in default of payment of fine amount, the Accused shall undergo simple imprisonment for a period of six months.

The Appellant has made out sufficient grounds for suspension of sentence. Hence the following

ORDER

The operation of the sentence of conviction passed by the Addl. Civil Judge & JMFC, Honnavar, in C.C.No. 562/2024 dated 01-08-2025, is hereby suspended for a period of six months, subject to pay fine of Rs.5000/- and to deposit 20% of the cheque amount within two months from this order, before the Trial Court and to offer bail on personal bond of Rs.15,000/- with one surety for likesum to the satisfaction of the Trial Court.

Matter referred to mediation and parties are directed to appear on 27-09-2025 and if not settled, call on 29-11-2025.

Issue notice to both the parties.

Sd/-

II Addl., District & Sessions Judge,
U.K., Karwar.