

Case called out.

Sri NSB files memo of undertaking to file Vakalath for Respondent society and orally objected to the delay application.

**ORDER ON IA.1/2025**

Heard the Counsel for Appellant and Respondent on delay application.

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

The Appellant has stated in the affidavit that, due to ill health of his mother, he was unable to file the appeal within time and as such, there is delay of 109 days in filling the Appeal.

The Appellant has shown sufficient reason to condone the delay. Hence, the application is allowed and the delay of 109 days in filling the appeal is hereby condoned.

**ORDER ON IA. 2/2025**

The Appellant/Accused has filed this Appeal challenging the Judgment of conviction dated 01-07-2025 passed by the Addl. Civil Judge and JMFC., Honnavar in C.C.No.392/2024.

Along with appeal, the Appellant has filed an application under Section 430 of BNSS, seeking suspension of sentence, passed in C.C.No.392/2024.

Perused the application, memo of facts and grounds in the appeal memo.

The Addl. Civil Judge and JMFC., Honnavar, has convicted the Appellant / Accused in C.C. No.392/2024 dated 01-07-2025 and sentenced to pay a fine of Rs.1,20,000/- 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 and JMFC., Honnavar in C.C.No.392/2024 dated 01-07-2025, is hereby suspended for a period of six months, subject to pay fine of Rs.3,000/- 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. 20,000/- with surety for likesum, to the satisfaction of the trial court.

Call for TCR.

R/by 06-03-2026.

Sd/-

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