

Case called out.

Sri NSB., advocate files Vakalath for Respondent Society.

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, the Appellant had fell sick and was bed ridden for some time and the doctors, who treated him, has advised him not to travel and hence, he was unable to contact his advocate to file an appeal within time and as such there is delay of 89 days in filling the Appeal.

The Appellant has shown sufficient reason to condone the delay. Hence the delay of 89 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 20-08-2025 passed by the Prl. Civil Judge and JMFC., Honnavar in C.C.No.349/2024.

Along with appeal, the Appellant has filed an application under Section 430 of BNSS, seeking suspension of sentence, passed in C.C.No.349/2024.

Perused the application, memorandum of facts, Judgment of the Trial Court and grounds in the appeal memo.

The Prl. Civil Judge and JMFC., Honnavar, has convicted the Accused in CC.No.349/2024 dated 20-08-2025 and sentenced to pay a fine of Rs.1,55,000/- and in default of payment of fine

amount, the Accused shall undergo simple imprisonment for a period of one year.

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 Prl. Civil Judge and JMFC., Honnavar in C.C.No.349/2024 dated 20-08-2025, is hereby suspended for a period of six months, subject to pay fine of Rs.5,000/- 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.30,000/- with one surety for likesum to the satisfaction of the Trial Court.

Call for TCR.

Matter referred to mediation on 06-02-2026 and if not settled, call on 12-03-2026.

Issue notice to both parties.

Sd/-

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