



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 26TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

CRIMINAL REVISION PETITION NO. 103 OF 2019

(397(Cr.PC) /438(BNSS))

BETWEEN:

R. MAHESH
S/O RUDRAPPA,
AGEED ABOUT 57 YEARS,
R/AT NO.811, 5TH MAIN,
ARAVIND NAGAR,
MYSURU - 570 023
WORKING AS CONDUCTOR
KUVEMPUNAGAR DEPOT,
CITY-2, KUVEMPUNAGAR,
MYSURU - 570 023.

...PETITIONER

(BY SMT.VISMAYA D.A., AMICUS CURIAE)

AND:

SMT. JAYALAKSHMI
W/O MAHADEVU,
AGEED ABOUT 50 YEARS,
RESIDING AT NO.2342,
4TH CROSS, 1ST MAIN,
PAMPAPATHI ROAD,
K. G. KOPPAL
MYSURU - 570 009.

...RESPONDENT

(BY SMT.SAMASHRITHA R, ADVOCATE FOR
SRI.NARENDRA D.V.GOWDA., ADVOCATE)

THIS CRL.RP FILED U/S.397 R/W 401 CR.P.C PRAYING
TO SET ASIDE THE ORDER DATED 17.09.2018, PASSED BY THE
TRIAL COURT OF IV ADDITIONAL I CIVIL JUDGE AND J.M.F.C.,





MYSORE IN C.C.NO.1991/2015 IN PCR NO.958/2015 VIDE ANNEXURE-A AND ALSO SET ASIDE THE IMPUGNED JUDGMENT DATED 07.01.2019 PASSED BY THE FIRST APPELLATE COURT OF III ADDITIONAL SESSIONS JUDGE, MYSORE IN CRL.A.NO.218/2018 VIDE ANNEXURE B.

THIS PETITION, COMING ON FOR FURTHER HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

ORAL ORDER

Accused is before this court in this Criminal Revision petition filed under Section 397 read with 401 of Cr.P.C. with a prayer to set aside the judgment and order of conviction dated 17.09.2018 passed in C.C.No.191/2015 by the Court of IV Additional I Civil Judge and JMFC at Mysuru and the Judgment and Order dated 07.01.2019 passed in Crl.A.No.218/2018 by Court of III Additional Sessions Judge, Mysuru.

2. Learned Amicus Curiae and Learned Counsel for the respondent, jointly submit that dispute between the parties has been amicably settled and they have filed a joint memo before this Court reporting settlement. The parties who



are present before the Court are identified by their respective advocates. It is submitted that settlement arrived between the parties is voluntary without their being any influence or coercion.

3. The respondent who has agreed to receive a total sum of Rs.6,50,000/- from the petitioner towards full and final settlement of the amount covered under the cheque in question, has acknowledged receipt of Rs.1,50,000/- from the petitioner in cash.

4. The joint memo which is filed by the parties is taken on record. The same is signed by the parties and also by their learned advocates. The said joint memo reads as follows:-

"The Petitioner and Respondent are hereby settling the matter and filing this joint memo in Crl.RP.No.103/2019. It is submitted that, in the court of IV Additional Civil Judge And JMFC at Myrusu, the petitioner has deposited 20% of the Cheque amount i.e. Rs.2,00,000/- in C.C.No.1991/2015 and in the court of III Additional Sessions Judge, at Mysuru, the petitioner has deposited 30% of the cheque amount i.e. Rs.3,00,000/- in Crl.A.218/2018. It is submitted that



both Petitioner and respondent have amicably agreed to settle the amount of Rs.6,50,000/- in total, including the previous deposits. In view of the same, today on 26/02/2026 the petitioner is paying sum of Rs.1,50,000/- in cash before the Hon'ble High court. Kindly the same maybe accepted in the interest of Justice and Equity."

5. In view of the aforesaid, I am of the opinion that this revision petition is required to be disposed of in terms of the joint memo and the impugned judgment and order of conviction and sentence passed by the Courts below needs to be set aside. Accordingly the following:

ORDER

- i) Criminal Revision petition is ***allowed***.
- ii) The impugned judgment and order of conviction and sentence passed by the Courts below are set aside.
- iii) The petitioner is acquitted of the offence punishable under Section 138 of the Negotiable Instrument Act, 1881 and his bail bonds, if any, stands cancelled.
- iv) Respondent/complainant is permitted to withdraw the amount of Rs.2,00,000/- (Rupees Two Lakh only)



deposited by the petitioner before the trial Court in C.C.No.1991/2015 and a sum of Rs.3,00,000/- (Rupees Three Lakh only) deposited by the petitioner before the Appellate Court in Crl.A.No.218/2018.

v) The services of learned Amicus Curiae is placed on record and her legal fee is fixed at Rs.15,000.

Sd/-
(S VISHWAJITH SHETTY)
JUDGE

LDC
List No.: 1 Sl No.: 40