



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 23RD DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE M.NAGAPRASANNA

CRIMINAL PETITION NO. 1462 OF 2026

BETWEEN:

SRI RAVIKUMAR P.,
SON OF LATE NARAYANAPPA
AGED ABOUT 60 YEARS
RESIDING AT NO.5, 4TH CROSS
BANAGIRINAGAR, PAPAIAH GARDEN
BANASHANKARI 3RD STAGE
BENGALURU – 560 085.

...PETITIONER

(BY SRI NAGARAJA K. R., ADVOCATE)

AND:

SRI R.GURUDEVA
SON OF LATE G.RUDRAPPA
AGED ABOUT 68 YEARS
R/AT NO.620, 3RD CROSS
16TH 'B' MAIN, KORAMANGALA
3RD BLOCK, BENGALURU – 560 034.

...RESPONDENT

(BY SRI DESAI SHARANABASAPPA VIRANNA, ADVOCATE)

THIS CRL.P IS FILED U/S 528 BNSS PRAYING TO QUASH
THE ENTIRE PROCEEDINGS IN C.C.NO.44962/2025
(PCR.NO.19322/2025) ON THE FILE OF XIX ADDITIONAL CHIEF
JUDICIAL MAGISTRATE, AT BANGALORE, FOR THE OFFENCES
PUNISHABLE UNDER SECTION 138 OF N.I. ACT.



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

CORAM: **HON'BLE MR. JUSTICE M.NAGAPRASANNA**

ORAL ORDER

The petitioner is before this Court calling in question the proceedings in C.C.No.44962/2025, pending before the XIX Additional Chief Judicial Magistrate, Bengaluru, registered for offence punishable under Section 138 of the Negotiable Instruments Act, 1881 ('the NI' Act for short).

2. Heard Sri. Nagaraja K.R., learned counsel appearing for the petitioner and Sri Desai Sharanabasappa Viranna, learned counsel for respondent.

3. The petitioner and the respondent are said to have had a transaction. In furtherance of the said transaction, the petitioner is said to have issued three cheques of ₹1/- crore each. The petitioner, his wife and the brother in-law of the petitioner enter into a settlement by drawing up agreement, that once the brother-in-law of the petitioner, who was then in judicial custody gets released and would sell the residential site and the sale proceeds would be given to the complainant



against the loan taken from the complainant. When the petitioner and the parties to the aforesaid agreement did not adhere to the conditions and therefore, the complainant presented the cheques and they have been dishonored with a return memo, indicating 'payment stopped by drawer'. The dishonouring of the cheques leads the complainant to the concerned Court to register a private complaint for offence punishable under Section 138 of the NI Act. The petitioner in the subject petition calls in question the entire proceedings after it having travelled to certain extent on the basis of the agreement the parties had entered into earlier.

4. All these factors would be in the realm of disputed questions of facts. This Court in exercise of jurisdiction under Section 528 of the BNSS would not entertain a petition, which is shrouded with seriously disputed questions of facts. All the contentions that the petitioner now wants to project before this Court would require evidence in the least. Therefore, the petitioner is at liberty to urge all the contentions before the concerned Court at the appropriate time. It is needless to



observe that the concerned Court would answer all such contentions.

5. With the aforesaid observation, the petition stands disposed.

I.A.No.1/2026 also stands disposed, as a consequence.

Sd/-
(M.NAGAPRASANNA)
JUDGE

NVJ
List No.: 2 Sl No.: 24