



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

CRIMINAL REVISION PETITION NO. 286 OF 2025

BETWEEN:

1. ANADAMURTHY
S/O LATE BASAVARAJAPPA
AGED ABOUT 46 YEARS
R/AT MODURU VILLAGE
BHUKANAKERE HOBLI
K R PETE TALUK
MANDYA DISTRICT-571 426

...PETITIONER

(BY SRI. DHANANJAYA D L.,ADVOCATE)

AND:

1. JAVAREGOWDA
S/O LATE MARIGOWDA
AGED ABOUT 53 YEARS
R/AT NAVEELUMARANAHALLI VILLAGE,
SELENERE HOBLI,
K R PETE TOWN
MANDYA DISTRICT-571 426

...RESPONDENT

(BY SRI. RAVISHA M G.,ADVOCATE)

THIS CRL.RP IS FILED U/S.397 R/W 401 CR.P.C (U/S 438 R/W 442 BNSS) BY THE ADVOCATE FOR THE PETITIONER PRAYING THAT THIS HONOURABLE COURT MAY BE PLEASED TO A. SET ASIDE THE IMPUGNED JUDGMENT OF THE DISMISSAL OF APPEAL DATED 13.01.2025 PASSED BY THE





LRD. III ADDL. DISTRICT AND SESSIONS JUDGE, AT MANDYA (SITTING AT SRIRANGAPATNA) IN CRL.A.NO.5012/2024 AS PER ANNEXURE-A AND JUDGMENT THE CONVICTION DATED 30.12.2023 PASSED BY THE LRD. II ADDL. CIVIL JUDGE AND JMFC, AT KRISHNARAJAPETE IN C.C.NO.211/2019 AS PER ANNEXURE-B AND ETC.

THIS PETITION, COMING ON FOR ADMISSION, 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 Section 401 of Cr.PC with a prayer to set aside the judgment and order of conviction and sentence passed in C.C.No.211/2019 dated 30.12.2023 by the Court of II Additional Civil Judge and JMFC, Krishnarajapete and the judgment and order passed in Crl.A.No.5012/2024 dated 13.01.2025 by the learned III Additional District and Sessions Judge, Mandya (sitting at Srirangapatna).

2. Learned Counsel for the petitioner submits that dispute between the parties has been amicably settled before the Mediation Centre at Bengaluru and a Memorandum of



Settlement has been executed by the parties on 17.02.2026. He further submits that in view of the settlement arrived between the parties, the criminal revision petition may be disposed of in terms of the settlement.

3. The said submission is placed on record.

4. The copy of the Memorandum of Settlement executed between the parties before the Mediation Centre, Bengaluru, dated 17.02.2026 is taken on record. In paragraphs III and IV of the said Memorandum of Settlement, it is stated as follows:

III. During the course of mediation, the Petitioner/Accused and the Respondent/Complainant with the able assistance of their respective Advocates and after a thorough discussion, taking into consideration the outcome of the litigation, duration with uncertainty of the outcome and litigation expenses, have settled the matter and they have agreed to the following terms and conditions:

1. This Hon'ble Court has passed an order on 27.02.2025 directing the Petitioner/Accused to deposit 50% i.e. Rs.2,50,000/- (Rupees Two Lakhs Fifty Thousand Only) inclusive of the fine



amount before the trial court, which the Petitioner/Accused has complied.

2. In view of this settlement the Petitioner/Accused agrees to pay a total sum of Rs.4,10,000/- (Rupees Four Lakhs Ten Thousand Only) to the Respondent/Complainant towards full and final settlement of all the claims of the Respondent/Complainant inclusive of the amount i.e. Rs. 2,50,000/- (Rupees Two Lakhs Fifty Thousand Only) available in deposit before Trial Court. The Respondent/Complainant is entitled to withdraw a sum of Rs.2,50,000/- (Rupees Two Lakhs Fifty Thousand Only) which was the fine amount deposited by the Petitioner/Accused before the Trial Court and the remaining amount of Rs.1,60,000/- (Rupees One Lakh Sixty Thousand Only) will be paid by the Petitioner/Accused to the Respondent/Complainant in three installments on or before 23rd May 2026.

3. The Respondent/Complainant after consulting his advocate and discussing the matter with him has agreed to accept the said sum of Rs.4,10,000/- Rupees Four Lakhs Ten Thousand Only) inclusive of the amount of Rs. 2,50,000/- (Rupees Two Lakhs Fifty Thousand Only) which is available in deposit before the trial court as



full and final settlement of all his claims in C.C.No.211/2019.

4. The Petitioner/Accused agrees and undertakes to pay the said sum of Rs.1,60,000/- (Rupees One Lakh Sixty Thousand Only) in three Installments by way of demand draft/online transfer in the following manner:

a) A sum of Rs.50,000/- (Rupees Fifty Thousand Only) to be paid on or before 23rd March 2026.

b) A sum of Rs.50,000/- (Rupees Fifty Thousand Only) to be paid on or before 23rd April 2026.

c) A sum of Rs.60,000/- (Rupees Sixty Thousand Only) to be paid on or before 23rd May 2026.

5. Both the parties agree to the terms and conditions mentioned supra. In case of default of payment of any two installments continuously by the Petitioner/Accused to the Respondent/Complainant, then the agreement shall be cancelled and the parties agree that the matter may be dealt with in accordance with the judgment of the trial court.

6. The parties further state that there has been no collusion or force, fraud or any undue influence by any of the parties to enter into this into this compromise in the aforesaid manner.



IV. In view of the aforesaid agreement, both the parties pray that this Hon'ble court may be pleased to record settlement and dispose off the Revision Petition in terms of this agreement.

5. Under these circumstances, I am of the opinion that the Criminal revision petition is required to be disposed of in terms of the settlement arrived between the parties and the judgment and order of conviction and sentence passed by the Courts below needs to be set aside. Accordingly, the following:

ORDER

- i. The Criminal revision petition is ***allowed.***
- ii. The judgment and order of conviction and sentence passed in C.C.No.211/2019 dated 30.12.2023 by the Court of II Additional Civil Judge and JMFC, Krishnarajapete, which is confirmed in Crl.A.No.5012/2024 by the judgment and order dated 13.01.2025 by the learned III Additional District and Sessions Judge, Mandya (sitting at Srirangapatna) are set aside.
- iii. Petitioner is acquitted of the offence punishable under Section 138 of the Negotiable



Instruments Act, 1881 and his bail bonds, if any, stands cancelled.

- iv. The amount of Rs.2,50,000/- (Rupees Two Lakhs Fifty Thousand only) deposited by the petitioner before the Trial Court in C.C.No.211/2019 is permitted to be withdrawn by the respondent/complaint.
- v. The respondent/complainant is at liberty to file necessary application to recall/revive this order in the event petitioner defaults to pay the balance amount as undertaken.

Sd/-
(S VISHWAJITH SHETTY)
JUDGE