



IN THE HIGH COURT OF KARNATAKA AT BENGALURU
DATED THIS THE 27TH DAY OF FEBRUARY, 2026
BEFORE
THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY
CRIMINAL REVISION PETITION NO. 992 OF 2021

BETWEEN:

SRI S. HARISH
S/O LATE SIDDAGANGAIAH
AGED AOBUT 43 YEARS
R/AT MALLAPURA VILLAGE
HULLEGODANAHALLI POST
NELAMANGALA TALUK
BENGALURU RURAL DISTRICT - 562 123.

...PETITIONER

(BY SRI PRASANNA V.R, ADV.)

AND:

GAJENDRA
S/O DEVARAJA
AGED ABOUT 42 YEARS
R/AT NO.95, 2ND MAIN ROAD
M.S. RAMAIAH ENCLAVE
8TH MILE, HESARAGHATTA
MAIN ROAD, BENGALURU - 560 073.

...RESPONDENT

(BY SRI RAVI KUMAR K.N, ADV.)

THIS CRL.RP IS FILED U/S.397 R/W 401 CR.P.C PRAYING TO SET ASIDE THE JUDGMENT AND ORDER DATED 05.08.2021 IN CRL.A.NO.2236/2018 PASSED BY THE LEARNED LIX ADDITIONAL CITY CIVIL AND SESSIONS JUDGE, BANGALORE (CCH-60) AND JUDGMENT AND ORDER DATED 05.10.2018 IN C.C.NO.15482/2016 ON THE FILE OF THE LEARNED JUDGE, COURT OF SMALL CAUSES AND XXVI ACMM, BANGALORE BY ALLOWING THIS CRL.R.P.

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

CORAM: HON'BLE MR. JUSTICE S VISHWAJITH SHETTY





ORAL ORDER

1. Accused is before this Court in this Criminal revision petition filed under Section 397 R/w Section 401 of Cr.P.C, with a prayer to set aside the judgment and order dated 05.10.2018 passed in C.C.No.15482 of 2016 by the Court of Small Causes Judge and XXVI ACMM, Bengaluru and the judgment and order dated 05.08.2021 passed in Criminal Appeal No.2236 of 2018 by the Court of LIX Addl. City Civil & Sessions Judge, Bengaluru.

2. Learned counsel for the petitioner and learned counsel for the respondent jointly submit that, dispute between the parties has been settled amicably before the mediation centre, Bangalore, during the pendency of the petition. The copy of the memorandum of settlement executed between the parties is placed on record. They submit that, this revision petition may be disposed of in terms of the settlement arrived between the parties and the impugned judgment and order of conviction and sentence passed against the petitioner may be set aside.



3. The Said submissions and the memorandum of settlement dated 11.12.2023 executed by the parties before the mediation centre at Bangalore are placed on record. In paragraph no.(ii) of the Memorandum of Settlement, it is stated as follows:

II. The aforesaid appeal has been referred to mediation for resolving the dispute between the parties and in the Course of the mediation the petitioner and the respondent have amicably resolved their disputes subject to the following terms and conditions as stated here under:

1. The parties herein state that the appellant has agreed to pay an amount of Rs. 1,42,000/- (Rupees One Lakh Forty Two Thousand Only) as full and final settlement and out of which Rs. 65,000/- has been credited to the respondent namely Gajendra who is having an account in Bank of Baroda A/c No. 89310100052711 on 11.12.2023 Challan bearing No.131180229 and 3004772156 and has paid remaining balance Rs. 5000/- by way of cash to the respondent today i.e. 11.12.2023 which the respondent hereby acknowledges having received the same."

4. In view of the aforesaid, I am of the opinion that, this Criminal Revision petition is required to be disposed of in



terms of the settlement arrived between the parties and the impugned judgment and order of conviction and sentence passed by the courts below against the petitioner needs to be set aside.

5. Accordingly, the Criminal Revision petition is allowed.

The impugned judgment and order of conviction and sentence passed by the Courts below against the petitioner are set aside and the petitioner is acquitted of the offence punishable under Section 138 of N.I. Act. His bail bonds if any, stands cancelled.

Respondent / complainant is permitted to withdraw the amount of ₹.72,000/- deposited by the petitioner before the Trial Court in C.C.No.15482 of 2016.

Sd/-
(S VISHWAJITH SHETTY)
JUDGE