



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 9TH DAY OF JUNE, 2026

BEFORE

THE HON'BLE MR. JUSTICE H.P.SANDESH

CRIMINAL REVISION PETITION NO.773 OF 2026

BETWEEN:

1. MR. H. HARISH SALIAN
S/O LATE BABU
AGED ABOUT 54 YEARS
R/AT ENGINEER-CDU
DEPARTMENT OF OPERATION
MANGALORE REFINERY AND PETROCHEMICAL LTD.,
KUTHETHURU POST, VIA KATIPALLA
MANGALURU-575 030
ALSO R/AT SALIAN NIVASA
D.NO.116, M.R.P.L. COLONY
HOSABEETU POST, KULAI
MANGALORE-575 019.

...PETITIONER

(BY SMT. C. SONALI, ADVOCATE FOR
SRI. JEEVAN K., ADVOCATE)

AND:

1. SHRI POORNANANDA VIVIDODDESHA
SOUHARDHA SAHARKI LTD.,
N.G.O. COMPLEX, 1ST FLOOR
NEAR MINI VIDHANA SOUDHA
MANGALURU-575 001
REPRESENTED BY ITS BRANCH MANAGER
MRS. ANITHA
AGED ABOUT 42 YEARS

...RESPONDENT





THIS CRL.RP IS FILED U/S. 397 R/W 401 OF CR.P.C PRAYING TO SET ASIDE THE JUDGMENT PASSED BY THE II ADDL. DISTRICT AND SESSIONS JUDGE, D.K. AT MANGALURU IN CRL.A NO.393/2024 DATED 05.01.2026 AND ALSO THE JUDGMENT OF CONVICTION DATED 25.11.2024 IN CC NO.419/2022 DATED PASSED BY THE LEARNED JMFC (V COURT), MANGALURU AND TO DIRECT THE ACQUITTAL OF THE ACCUSED/PETITIONER.

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

CORAM: HON'BLE MR. JUSTICE H.P.SANDESH

ORAL ORDER

This matter is listed for consideration of I.A.No.1/2026 for condonation of delay of 11 days in filing the revision petition. So also, I.A.No.2/2026 filed for suspension of sentence.

2. Having perused the records, it is clear that in terms of joint memo as per Ex.P7, subject matter of Cheque was issued and the number of subject matter of Cheque is also mentioned in Ex.P7 and the same is taken note of by the Trial Court in paragraph No.18 and to repay the due amount, the accused has issued a Cheque for Rs.6,93,850/-. The notice was also issued and no reply was given and nothing is elicited in the cross-examination of P.W.1 and no defence evidence is led before the Trial Court and the same is considered by the Trial



Court and the First Appellate Court. Hence, question of considering this revision does not arise and the scope of revision is very limited and this Court can only examine the legality and correctness of the judgment of the Trial Court and the First Appellate Court and the subject matter of Cheque is issued on account of joint memo in terms of Ex.P7. When such being the case, I do not find any ground to issue notice to the respondent on I.A.No.1/2026 and question of considering I.A.No.2/2026 also does not arise, as there is no merit to entertain the revision.

Accordingly, the revision petition is dismissed.

Sd/-
(H.P.SANDESH)
JUDGE

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List No.: 1 SI No.: 22