



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. 1066 OF 2022

BETWEEN:

MR. AMEER KHAN
S/O GHOUSE KHAN
AGED ABOUT 53 YEARS
R/A NO.556, KUSHAL NAGAR
2ND CROSS, K.G. HALLI
BANGALORE - 560 054.

...PETITIONER

(BY SRI SUNIL KUMAR H, ADV.)

AND:

1. STATE OF KARNATAKA
BY CUBBON PARK POLICE
BANGALORE - 560 001
REPRESENTED BY SPP
HIGH COURT OF KARNATAKA.
2. MR. M.D. RAMARAJ URS
AGED ABOUT 53 YEARS
S/O M.D. DEVARAJA URS
R/AT NO.476, 55TH CROSS
3RD BLOCK, RAJAJINAGAR
BANGALORE - 560 010.
3. MR. NARASIMHAMURTHY
AGED ABOUT 39 YEARS
S/O RAMAMURTHY
R/AT NO.424/A 4TH MAIN ROAD
1ST STAGE, GIRINAGAR
BANGALORE - 560 085.
4. MR. GIRISH
AGED ABOUT 38 YEARS
S/O LATE SHIVANANDAIAH
R/AT NO.P-4, M.K.K. ROAD





SRIRAMPURA
BANGALORE - 560 021.

5. MR. CHOTUSAB
AGED ABOUT 60 YEARS
S/O FAKRUDDIN SAB
R/AT NO.106, SHIVAJI ROAD
BENGALURU - 560 051.
6. MR. ABDUL SHARIFF
AGED ABOUT 69 YEARS
S/O SHEIK MOHIDDIN
R/AT NO.1802, 10TH CROSS
3RD BLOCK, 80FT ROAD
HBR LAYOUT, BANGALORE - 560 045.
7. MR. MOHAMMED SAJJAD SAI
AGED ABOUT 49 YEARS
S/O ABDUL REHMAN
R/AT NO.139, 1ST FLOOR
B.S.A. ROAD, BANGALORE - 560 005.

...RESPONDENTS

(BY SRI CHANNAPPA ERAPPA, HCGP FOR R-1;
MS. ANNAPURNA V, ADV., FOR
SRI AKRAM PASHA, ADV., FOR R-2 TO R-4 & R-7;
R-6 SERVED)

THIS CRL.RP IS FILED U/S.397 R/W 401 CR.P.C PRAYING TO SET ASIDE THE ORDER OF THE IV ACMM, BANGALORE IN C.C.NO.15770/2008 DATED 21.03.2016 AND THE ORDER OF THE APPELLATE COURT LXIV ADDL. CITY CIVIL AND SESSIONS JUDGE, BANGALORE IN CRL.A.NO.700/2016 DATED 24.10.2019.B. CONVICT ACCUSED NO.1 TO 3 FOR THE OFFENCE P/U/S 409,420 R/W 34 OF IPC AND ACCUSED NO.4 TO 6 FOR OFFENCES P/U/S 465,468,420 R/W 34 OF IPC.

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. The defacto complainant is before this Court in this Criminal Revision Petition with a prayer to set aside the judgment and order of acquittal passed in C.C.No.15770 of 2008 dated 21.03.2016 by the Court of IV Addl. CMM, Bengaluru and the judgment and order dated 24.10.2019 passed in Criminal Appeal No.700 of 2016 by the Court of LXIV Addl. City Civil & Sessions Judge, Bengaluru.

2. Heard the learned counsel appearing for the parties.

3. The respondent nos.2 to 7 herein were charge sheeted for the offences punishable under Sections 420, 465, 468, 409 R/w 34 of IPC by Cubbond park Police Station, Bangalore and were tried for the said offences in C.C.No.15770 of 2008 by the Court of IV Addl. CMM, Bangalore. In the said proceeding, the trial Court by judgment and order dated 21.03.2016 had acquitted respondent nos.2 to 7 herein of the charge sheeted offences and the said judgment and order acquittal was unsuccessfully challenged by the petitioner herein before the jurisdictional Sessions Court in Criminal Appeal No.700 of 2003 which was filed under Section 372 of Cr.P.C.,



Assailing the concurrent findings of acquittal, the defacto complaint is before this Court.

4. It is the case of the prosecution that CW1 had availed loan from Karnataka Minorities Development Corporation Limited to purchase the auto rikshaw bearing No.KA-03-B-4986. Accused nos.1 to 3 are the employees of the corporation. According to CW1, all the documents of his autorikshaw were in the custody of the Administrative Officer of the Corporation, from which he had availed loan. On 28.03.2025, his brother CW2 was driving the aforesaid autorikshaw and accused no.6, who was the recovery agent of the Corporation forcibly seized the autorickshaw on the ground that CW1 had failed to pay the loan instalments.

5. It is alleged that, subsequently accused nos.4 to 6 had created documents and on the strength of the same, the autorikshaw was sold in favour of accused no.5. It is under these circumstances, the FIR was registered against accused nos.1 to 6, in Crime No.15 of 2008 by Cubbon park Police Station.



6. The prosecution in order to prove its charges against the accused, had examined 9 charge sheet witnesses as PW1 to PW9 and got marked 39 documents as Ex.P to Ex.P39. On behalf of the defence, two documents were got marked as ExD1 and D2. The trial Court after appreciating the oral and documentary evidence placed on the record has held that, the prosecution has failed to prove its case against accused nos.1 to 6 beyond reasonable doubt and has accordingly acquitted them of the charge sheeted offences. In the appeal which was filed against the judgment and order of acquittal, the Appellate Court has re-appreciated the oral and documentary evidence available on record and has confirmed the judgment and order of acquittal passed by the trial Court.

7. It is trite that the scope for this Court to re-appreciate the evidence in exercise of its revisional jurisdiction is very narrow.

8. The learned counsel for the petitioners has failed to point out that the Courts below have recorded the findings of acquittal in favour of accused nos.1 to 6, ignoring or overlooking the oral and documentary evidence. Under these



circumstances, I do not find any good ground to entertain this revision petition.

9. The Hon'ble Supreme Court in the case of **MAHABIR AND OTHERS V. STATE OF HARYANA - 2025 SCC ONLINE SC 184** has held that scope of this Court to interfere with concurrent findings of acquittal recorded in favour of the accused is very limited. Therefore, this revision petition is liable to be dismissed.

10. Accordingly, the criminal revision petition is dismissed.

Sd/-
(S VISHWAJITH SHETTY)
JUDGE

KK
List No.: 1 SI No.: 25