



**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**

**DATED THIS THE 9<sup>TH</sup> DAY OF JUNE, 2026**

**BEFORE**

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

**CRIMINAL REVISION PETITION NO.1937 OF 2025**

**BETWEEN:**

1. MITHUN K.N.,  
S/O K. NANJUNDA SWAMY,  
AGED ABOUT 36 YEARS  
R/AT BASAVANAPURA VILLAGE,  
DODDAPALYA POST,  
ARAKERE HOBLI,  
SRIRANGAPATANA TALUK-571438.

...PETITIONER

(BY SMT. KAVYA ANIL KUMAR, ADVOCATE FOR  
SRI. S. ANIL KUMAR, ADVOCATE)

**AND:**

1. RAJESH,  
S/O LATE DESHIGOWDA,  
AGED ABOUT 36 YEARS  
R/AT DODDAPALYA VILLAGE,  
ARAKERE HOBLI,  
SRIRANGAPATANA TALUK  
MANDYA DISTRICT-571438.

...RESPONDENT

(BY SRI. AJAY PRABHU M., ADVOCATE)

THIS CRL.RP IS FILED UNDER SECTION 397 R/W 401 OF  
CR.PC (FILED U/S 438 R/W 442 BNSS) PRAYING TO SET ASIDE  
THE JUDGMENT AND ORDER OF THE LEARNED III ADDL.  
DISTRICT AND SESSION JUDGE, MANDYA IN





CRL.A.NO.5025/2024 DATED 23.10.2025 BY DISMISSING THE SAID APPEAL THEREBY SET ASIDE THE JUDGMENT PASSED BY THE COURT OF THE ADDL.CIVIL JUDGE AND JMFC AT SRIRANGAPATNA IN C.C.NO.451/2020 DATED 30.04.2024 WHICH IS NECESSARY.

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

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

**ORAL ORDER**

This matter is listed for admission. Heard the learned counsel for the revision petitioner and the learned counsel for the respondent.

2. This Court vide order dated 30.01.2026, suspended the sentence subject to depositing of 50% of the fine amount, inclusive of the amount already deposited, if any, before the Trial Court within a period of four weeks. But the same is not complied with. This Court also received the records from the Trial Court on 09.03.2026 and till date not complied with the same. Considering the material on record, though it is contended that the cheque was stolen and misused by the complainant, the same has not been substantiated. The Trial Court also taken note of the evidence available on record, though led the defence evidence and got marked the



documents and the same substantiates his defence and so also the Appellate Court in paragraph Nos.19 to 22 also considered the material on record. When such being the case, I do not find any ground to admit the revision petition. No ground is made out and hence, the revision petition is dismissed.

**Sd/-**  
**(H.P.SANDESH)**  
**JUDGE**

MD  
List No.: 1 Sl No.: 28