



IN THE HIGH COURT OF KARNATAKA AT DHARWAD

DATED THIS THE 26TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE V.SRISHANANDA

CRIMINAL REVISION PETITION NO. 100110 OF 2023

(397(CR.PC)/438(BNSS))

BETWEEN:

MR. IRFAN S/O. IQBALAHEMMAD DHARWADKAR
AGE. 51 YEARS, OCC. CHICKEN VENDING BUSINESS,
R/O. H. NO.1033, TIPPUSULTAN NAGAR,
PEERNWADI, BELAGAVI, PIN CODE-590014

...PETITIONER

(BY SRI. SANJAY S. KATAGERI, ADVOCATE)

AND:

SHRI. DEEPAK S/O. BASAVARAJ TILAGANJI
AGE. 59 YEARS, OCC. MONEY LENDING BUSINESS,
R/O. H.NO.69, MARUTI TEMPLE ROAD,
GANDHI NAGAR, BELAGAVI, PIN CODE-590016.

...RESPONDENT

(BY SRI. S.H. YADWAD, ADVOCATE)



THIS CRIMINAL REVISION PETITION IS FILED U/SEC. 397 R/W 401 OF CR.P.C. SEEKING TO SET ASIDE THE IMPUGNED JUDGMENT AND ORDER DATED 06.07.2022 PASSED IN CRIMINAL APPEAL NO. 405/2019 BY THE XI ADDL. SESSIONS JUDGE, BELAGAVI AND THE JUDGMENT OF CONVICTION AND ORDER OF SENTENCE DATED 25.09.2019 PASSED IN CRIMINAL CASE NO. 694/2017 (P.C.NO. 309/2015) BY THE VII-JMFC, BELAGAVI, WHEREIN THE REVISION PETITIONER IS CONVICTED AND SENTENCED U/SEC. 138 OF NI ACT. 1881, BY ALLOWING THIS CRIMINAL REVISION PETITION, WITH COSTS AND CONSEQUENTLY DISMISSING THE SAID CRIMINAL CASE NO. 694/2017, IN THE INTEREST OF JUSTICE.

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



ORAL ORDER

(PER: THE HON'BLE MR. JUSTICE V.SRISHANANDA)

Parties present. Joint memo filed.

2. Joint memo reads as under:

"The Petitioner and the Respondent herein most humbly submits as follows:

The top noted Criminal Revision Petition is filed as against the Judgment and Order dated: 06-07-2022 passed in Criminal Appeal No. 405 /2019 by the learned XI Addl. Sessions Judge, Belagavi in Confirming the Judgment of Conviction and Order of Sentence dated: 25-09-2019 passed in Criminal Case No. 694/ 2017 by the VII-JMFC, Belagavi, Wherein the false and baseless Private Complaint filed by the Respondent herein for the Offence Punishable Under Section 138 of N.I. Act as against the Petitioner is taken cognizance and thereby tried the same as Criminal Case and thereby I has been sentenced to pay fine of Rs. 1,12,000/- Under 138 of N.I. Act and in default of the said fine amount and in default I was directed undergo simple imprisonment for 6 months. Further, undergoing the Sentence will not absolve me from the said liability to pay the fine. Hence, this Criminal Revision Petition, by the Accused in challenging both the Orders of the Courts below.

The Petitioner (Accused) and the Respondent (Complainant) have now seek to settle this matter before this Hon'ble Court in this Criminal Revision Petition, wherein



the Petitioner /Accused has agreed to pay further amount of Rs.40,000/ (Rupees Forty thousand only) within 3 months from today. i.e 26-02-2026, in addition to the Already deposited Amount of Rs.22,400/ on 25-11-2019 and Rs.22,400/- on 12-05-2023 in this regard. Thus, the out of RS.1,10,000/- as ordered by the Trial Court and confirmed by the Lower Appellate Court, the Petitioner herein is paying sum of Rs.40,000/-in Addition. i.e in all Sum of Rs.84,800/- in Full and Final Settlement in this regard.

The Respondent herein (Complainant) has agreed to Receive the Sum of Rs.40,000/ from the Petitioner within 3 months from today and the Respondent is entitle to Withdraw the deposited Amount in this respect from the Courts below. Thus, the Respondent herein is entitle for Rs.84,400 in all, as against the Order passed by the courts below of the Cheque Amount of Rs.1,00,000/- Hence both the parties have agreed to this term and conditions and as such this Joint Memo for Settlement and the same be kindly accepted by this Hon'ble Court.

That, in the event of the Petitioner herein failing to pay this sum of Rs.40,000/- within 3 months from today, then the Respondent herein is entitle to execute the Order passed by the Courts in accordance with Law.

For the reasons stated above, it is most humbly prayed by the Petitioner and the Respondent herein to this Hon'ble Court, be pleased Accept this Joint Memo of Settlement as submitted by both the parties and thereby the Impugned the Judgment and Order dated: 06-07-2022



passed in Criminal Appeal No. 405 /2019 by the learned XI Addl. Sessions Judge, Belagavi and Impugned the Judgment of Conviction and Order of Sentence dated: 25-09-2019 passed in Criminal Case No. 694/ 2017 by the VII-JMFC, Belagavi, be kindly Set-aside, by allowing this Criminal Revision Petition, as per the terms and conditions of this Joint Memo filed by both the parties, in the interest of Justice and Equity."

3. Joint memo is signed by the respective parties and their respective advocates.

4. On enquiry with the parties, parties agree that they have amicably settled the matter and there is no force or undue influence or coercion in reaching out the terms of the joint memo.

5. Accordingly, placing the joint memo on record, petition stands disposed of.

6. Amount in deposit is ordered to be withdrawn by the complainant under due identification.

Sd/-
(V.SRISHANANDA)
JUDGE

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CT-CMU