



NC: 2025:KHC-D:5420
CRL.RP No. 100029 of 2018
C/W CRL.RP No. 100030 of 2018
CRL.RP No. 100045 of 2018
AND 1 OTHER

**IN THE HIGH COURT OF KARNATAKA,
DHARWAD BENCH**

DATED THIS THE 24TH DAY OF MARCH, 2025

BEFORE

THE HON'BLE MR. JUSTICE V.SRISHANANDA

CRIMINAL REVISION PETITION NO.100029 OF 2018
(397(Cr.PC)/438(BNSS))

C/W

CRIMINAL REVISION PETITION NO.100030 OF 2018

CRIMINAL REVISION PETITION NO.100045 OF 2018

CRIMINAL REVISION PETITION NO.100046 OF 2018

IN CRL.RP.NO.100029/2018:

BETWEEN:

MR. J. PRABHACHANDRA
A/A: 63 YEARS, ATLANTA ELEVATORS (I) PVT. LTD.,
NO.172/177, 2ND A CROSS,
1ST MAIN, R.K.GARDEN, RMV 2ND STAGE,
NEW BEL ROAD, BANGALORE-560054,
MANAGING DIRECTOR OF
M/S. ATLANTA ELEVATORS(I) PVT. LTD.

...PETITIONER

(BY SRI KEMPARAJU B. G. AND
SRI D.V. PATTAR, ADVOCATES-ABSENT)

AND:

NALAVAD MULTI SPECIALITY HOSPITAL AND
RESEARCH CENTRE
REP. BY ITS PROPRIETOR DR. MAHESH NALAWAD
S/O. CHANNABASAPPA NALAWAD,





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AND 1 OTHER

AGE: 48 YEARS, VIKAS NAGAR, HOSUR,
HUBBALLI, REP BY GPA HOLDER RAVINDRA
S/O. RAJASHEKAR GOWDA, SANKANAGOUDER.

...RESPONDENT

(BY SRI N.P. VIVEKMEHTA, ADVOCATE)

THIS CRIMINAL REVISION PETITION IS FILED UNDER SECTION 397 READ WITH 401 OF CR.P.C.1973, SEEKING TO ALLOW THE REVISION PETITION FILED BY THE PETITIONER AND TO SET ASIDE THE ORDER DATED 29.11.2017 IN THE CRL.APPEAL NO. 82/2016 BY THE V ADDL. DISTRICT AND SESSIONS JUDGE, DHARWAD SITTING AT HUBBALLI AND BE PLEASED TO ACQUIT THE PETITIONER AND TO SET ASIDE THE JUDGEMENT DATED 28.06.2016 IN C.C.NO. 3376 OF 2015 PASSED BY THE JMFC II COURT AT HUBLI FILED BY THE RESPONDENT AGAINST THE PETITIONER PUNISHABLE UNDER SECTION 138 OF N.I.ACT.

IN CRL.RP.NO.100030/2018:

BETWEEN:

MR. J. PRABHACHANDRA
A/A: 63 YEARS, ATLANTA ELEVATORS (I) PVT. LTD.,
NO.172/177, 2ND A CROSS,
1ST MAIN, R.K.GARDEN, RMV 2ND STAGE,
NEW BEL ROAD, BANGALORE-560054,
MANAGING DIRECTOR OF
M/S. ATLANTA ELEVATORS(I) PVT. LTD.

...PETITIONER

(BY SRI KEMPARAJU B. G. AND
SRI D.V. PATTAR, ADVOCATES-ABSENT)

AND:

NALAVAD MULTI SPECIALITY HOSPITAL AND
RESEARCH CENTRE
REP. BY ITS PROPRIETOR DR. MAHESH NALAWAD
S/O. CHANNABASAPPA NALAWAD,
AGE: 48 YEARS, VIKAS NAGAR, HOSUR,
HUBBALLI, REP BY GPA HOLDER RAVINDRA
S/O. RAJASHEKAR GOWDA, SANKANAGOUDER.

...RESPONDENT

(BY SRI N.P. VIVEKMEHTA, ADVOCATE)



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CRL.RP No. 100045 of 2018
AND 1 OTHER

THIS CRIMINAL REVISION PETITION IS FILED UNDER SECTION 397 READ WITH 401 OF CR.P.C.1973, SEEKING TO ALLOW THE CRL.REVISION PETITION AND TO SET ASIDE THE ORDER DATED 29.11.2017 IN THE CRL.APPEAL NO.92/2016 BY THE V ADDL. DISTRICT AND SESSIONS JUDGE, DHARWAD SITTING AT HUBBALLI AND BE PLEASED TO ACQUIT THE PETITIONER FOR OFFENCE PUNISHABLE UNDER SECTION 138 OF N.I.ACT.

IN CRL.RP.NO.100045/2018:

BETWEEN:

MR. J. PRABHACHANDRA
A/A: 63 YEARS, ATLANTA ELEVATORS (I) PVT. LTD.,
NO.172/177, 2ND A CROSS,
1ST MAIN, R.K.GARDEN, RMV 2ND STAGE,
NEW BEL ROAD, BANGALORE-560054,
MANAGING DIRECTOR OF
M/S. ATLANTA ELEVATORS(I) PVT. LTD.

...PETITIONER

(BY SRI KEMPARAJU B. G. AND
SRI D.V. PATTAR, ADVOCATES-ABSENT)

AND:

NALAVAD MULTI SPECIALITY HOSPITAL AND
RESEARCH CENTRE
REP. BY ITS PROPRIETOR DR. MAHESH NALAWAD
S/O. CHANNABASAPPA NALAWAD,
AGE: 48 YEARS, VIKAS NAGAR, HOSUR,
HUBBALLI, REP BY GPA HOLDER RAVINDRA
S/O. RAJASHEKAR GOWDA, SANKANAGOUDER.

...RESPONDENT

(BY SRI N.P. VIVEKMEHTA, ADVOCATE)

THIS CRIMINAL REVISION PETITION IS FILED UNDER SECTION 397 READ WITH 401 OF CR.P.C.1973, SEEKING TO ALLOW THE REVISION PETITION FILED BY THE PETITIONER AND TO SET ASIDE THE ORDER DATED 29.11.2017 IN THE CRL.APPEAL NO. 83/2016 BY THE V ADDL. DISTRICT AND SESSIONS JUDGE, DHARWAD SITTING AT HUBBALLI AND BE PLEASED TO ACQUIT THE PETITIONER AND TO SET ASIDE THE JUDGEMENT DATED 28.06.2016 IN C.C.NO. 3375 OF 2015 PASSED BY THE JMFC II COURT AT HUBLI



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AND 1 OTHER

FILED BY THE RESPONDENT AGAINST THE PETITIONER PUNISHABLE
UNDER SECTION 138 OF N.I.ACT.

IN CRL.RP.NO.100046/2018:

BETWEEN:

MR. J. PRABHACHANDRA
A/A: 63 YEARS, ATLANTA ELEVATORS (I) PVT. LTD.,
NO.172/177, 2ND A CROSS,
1ST MAIN, R.K.GARDEN, RMV 2ND STAGE,
NEW BEL ROAD, BANGALORE-560054,
MANAGING DIRECTOR OF
M/S. ATLANTA ELEVATORS(I) PVT. LTD.

...PETITIONER

(BY SRI KEMPARAJU B.G. AND
SRI D.V. PATTAR, ADVOCATES-ABSENT)

AND:

NALAVAD MULTI SPECIALITY HOSPITAL AND
RESEARCH CENTRE
REP. BY ITS PROPRIETOR DR. MAHESH NALAWAD
S/O. CHANNABASAPPA NALAWAD,
AGE: 48 YEARS, VIKAS NAGAR, HOSUR,
HUBBALLI, REP BY GPA HOLDER RAVINDRA
S/O. RAJASHEKAR GOWDA, SANKANAGOUDE.

...RESPONDENT

(BY SRI N.P. VIVEKMEHTA, ADVOCATE)

THIS CRIMINAL REVISION PETITION IS FILED UNDER
SECTION 397 READ WITH 401 OF CR.P.C. 1973, SEEKING TO ALLOW
THE CRL.REVISION PETITION AND TO SET ASIDE THE ORDER DATED
29.11.2017 IN THE CRL.APPEAL NO.93/2016 BY THE V ADDL.
DISTRICT AND SESSIONS JUDGE, DHARWAD SITTING AT HUBBALLI
AND BE PLEASED TO ACQUIT THE PETITIONER FOR OFFENCES
PUNISHABLE UNDER SECTION 138 OF N.I.ACT.

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



ORAL ORDER

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

Case called twice. None present on behalf of the revision petitioner.

Sri.N.P.Vivekmehta, learned counsel for the respondent is present.

Even on the last date of hearing, time was granted as a last chance to address the arguments.

Taking note of the fact that accused has suffered an order of conviction for the offence punishable under Section 138 of the Negotiable Instruments Act and has not complied the order; revision petition is ***dismissed for non prosecution.***

**SD/-
(V.SRISHANANDA)
JUDGE**

KAV
CT:PA
List No.: 2 SI No.: 44