



IN THE HIGH COURT OF KARNATAKA AT DHARWAD

DATED THIS THE 1ST DAY OF JULY, 2026

BEFORE

THE HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

CRIMINAL APPEAL NO.100329 OF 2026 (C)

BETWEEN:

SHRI. BASANAGOUDA S/O. SHIVAPPA KUSAGAR,
AGE. 57 YEARS, OCC. BUSINESS,
R/O. PROP. SRI SIDDARODHA SWEETS AND NAMKINS,
1ST CROSS, PLOT NO.8, NEW GABBUR, HUBBALLI.

...APPELLANT

(BY SRI. KIRAN M.GOLI, ADVOCATE)

AND:

SHRI. BASANAGOUDA S/O. VEERABHADRAPPA
CHANNAGOUDRA,
AGE. 68 YEARS, OCC. BUSINESS,
R/O. PROP. B.V. CHANNAGOUDRA AND COMPANY,
NO.B-27, APMC YARD, AMARAGOL, HUBBALLI.

...RESPONDENT

THIS CRIMINAL APPEAL IS FILED UNDER SECTION 374 OF CR.P.C. (SEC. 415 OF BNSS, 2023,) PRAYING TO CALL FOR RELEVANT RECORDS AND SET-ASIDE THE JUDGMENT AND ORDER OF ACQUITTAL DATED 07.07.2025 PASSED BY THE LEARNED JMFC, II HUBBALLI IN C.C. NO.336/2023 THEREBY CONVICTING THE APPELLANT / ACCUSED OF THE OFFENCE UNDER SEC. 138 OF THE NEGOTIABLE INSTRUMENTS ACT, WHICH HAS BEEN SUBSEQUENTLY CONFIRMED BY THE SESSIONS COURT, DHARWAD, SITTING AT HUBBALLI IN CRIL. A. NO.5176/2025 DATED 21.01.2026 AND CONSEQUENTLY ALLOW THIS APPEAL BY ACQUITTING THE APPELLANT / ACCUSED OF THE ALLEGED OFFENCES AND / OR AND TO QUASH THE CONVICTION AND SENTENCE IMPOSED BY THE JMFC II HUBBALLI IN C.C. NO.336/2023 DATED 07.07.2025 AND /OR REMIT THE MATTER TO THE TRIAL COURT FOR FRESH CONSIDERATION IN LIGHT OF THE APPELLATE DIRECTIONS; AND / OR IN THE ALTERNATIVE, REDUCE THE QUANTUM OF FINE /COMPENSATION AND / OR SET ASIDE THE SENTENCE OF IMPRISONMENT IN DEFAULT AND / OR TO AMEND THE APPEAL IF AND WHEN NECESSARY MAY KINDLY BE ALLOWED; AND / OR TO GRANT INTERIM RELIEF BY SUSPENDING THE SENTENCE AND / OR RELEASE THE APPELLANT / ACCUSED ON BAIL PENDING DISPOSAL OF THIS APPEAL TO AWARD THE COSTS OF THIS APPEAL AND ETC.,





THIS APPEAL, COMING ON FOR ORDERS, THIS DAY,
JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

ORAL ORDER

Learned counsel for the appellant has filed memo seeking
leave of the Court to withdraw the appeal.

2. The memo is taken on record.

3. In view of the memo, the appeal is ***dismissed as
withdrawn.***

**Sd/-
(ANANT RAMANATH HEGDE)
JUDGE**

SMM
CT: UMD
List No.: 1 Sl No.: 14