



IN THE HIGH COURT OF KARNATAKA, AT DHARWAD

DATED THIS THE 27TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE V.SRISHANANDA

CRIMINAL REVISION PETITION NO. 100339 OF 2023

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

BETWEEN:

D. VENKATESH SHETTY S/O SATYANARANA SHETTY
AGE 32 YEARS, OCC. BUSINESS
R/O. GENIKIHAL ROAD, W.NO.15,
KURUGODU TOWN, KURUGOD TALUK,
BALLARI DISTB 583101.

...PETITIONER

(BY SRI. SHUBHENDU A. AKALWADI, ADVOCATE)-ABSENT

AND:

K. BASAVARAJ @ G. BASAVARAJ
S/O LATE K. GURULINGAPPA
AGE 50 YEARS, OCC. BUSINESS
R/O. SADASHIVA NAGARA W.NO. 21
KURUGODU TOWN KURUGOD TALUK
BALLARI DIST 583101.

...RESPONDENT

(BY SRI. SADIQ N. GOODWALA, ADVOCATE)

THIS CRIMINAL REVISION PETITION IS FILED U/SEC. 397 R/W 401 OF CR.P.C. SEEKING THAT THE JUDGMENT AND ORDER REGARDING SENTENCE DATED 21.12.2022 PASSED BY THE V ADDL. CIVIL JUDGE AND JMFC AT BALLARI IN CC NO. 999/2020, CONFIRMED BY THE ORDER DATED 28.04.2023 PASSED BY THE IV ADDL. DIST AND SESSIONS JUDGE (EXCLUSIVE DEDICATED COMMERCIAL COURT), BALLARI IN CRIMINAL APPEAL NO. 08/2023, MAY BE SET ASIDE AND THE PETITIONER MAY BE ACQUITTED FROM THE CHARGES





FRAMED AGAINST HIM U/SEC. 138 OF NI ACT, IN THE INTEREST OF JUSTICE.

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

ORAL ORDER

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

1. None appears for the petitioner.
2. At the request of both parties, the matter was referred to mediation. But there was no settlement recorded before the mediator.
3. The accused has already suffered an order of conviction for the offence punishable under Section 138 of the Negotiable Instruments Act, which was confirmed by the First Appellate Court.
4. There was no defence evidence placed on record before the before trial Magistrate and admittedly, the cheque marked at Ex.P1 belonged to the accused and the signature found therein is also that of the accused.
5. The loan transaction between the parties is also established by the on-demand promissory notes marked at Exs.P6 to P8.



6. Taking note of these aspects of the matter, the petition stands dismissed for non-prosecution.

Sd/-
(V.SRISHANANDA)
JUDGE

Rhr/-CT-CMU
LIST NO.: 1 SL NO.: 20