



HC-KAR

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NC: 2026:KHC-D:1749
CRL.RP No. 100310 of 2025

IN THE HIGH COURT OF KARNATAKA, AT DHARWAD

DATED THIS THE 6TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE V.SRISHANANDA

CRIMINAL REVISION PETITION NO. 100310 OF 2025

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

BETWEEN:

SRI. MAHESH S/O JAMBANNA MAKI
AGE. 45 YEARS, OCC. PRIVATE JOB,
R/O. BASAVESHWARA NAGAR
HAVERI, TQ.DIST. HAVERI-581110.

...PETITIONER

(BY SRI. SHIVAPPA U. GODDEMMI, ADVOCATE)

AND:

SMT. RENUKA W/O BASAVARAJ KAMBALI
AGE. 51 YEARS, OCC. HOUSEHOLD
R/O. VASANT NILAY, SHIVAJINAGAR,
3RD CROSS, HAVERI, DIST. HAVERI-581110.

...RESPONDENT

(BY SRI. A.P. MURARI, ADVOCATE)



THIS CRIMINAL REVISION PETITION IS FILED U/S 397 R/W 401 OF CR.P.C. (438 R/W 442 OF BNSS), SEEKING TO SET ASIDE THE JUDGMENT AND ORDER DATED 05.07.2025 PASSED IN CRIMINAL APPEAL NO. 32/2025 ON THE FILE I ADDL. DISTRICT AND SESSIONS JUDGE, HAVERI DISMISSING THE APPEAL FILED BY THE REVISION PETITIONER AND CONFIRMING THE JUDGMENT OF CONVICTION AND ORDER OF SENTENCE DATED 23.01.2025 PASSED IN C.C.NO. 2520/2023 ON THE FILE OF THE PRL. CIVIL JUDGE AND JMFC, COURT, HAVERI FOR THE OFFENCES PUNISHABLE U/S 138 OF N.I. ACT AND ACQUIT THE ACCUSED. AND REMAND THE CASE TO THE TRIAL COURT FOR A FRESH TRIAL.

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. Learned counsel for the petitioner has filed a joint memo. The joint memo reads as under:

"JOINT MEMO

1. This Criminal Revision Petition is filed U/S. 438 BNSS/397 Of Cr.P.C., against the Judgment and Order dated 05.07.2025 passed in Criminal Appeal No. 32/2025 on the file of 1 Addl. District and Sessions Judge, Haveri dismissing the appeal filed by the Petitioner and confirming the Judgment of Conviction and Order of sentence dated 23.01.2025 passed in C. C. No. 2520/2023 on the file of The Learned Prl. Civil Judge and JMFC, Court, Haveri.,

2. The parties to the revision petition have settled their claims on the following terms:

*a. The parties have agreed to compromise the case for a total sum of Rs. 1,60,000/- (**One Lakh Sixty Thousand Rupees**), towards full and final settlement.*

*b. The said amount deposited before the Trial Court as per the order of this Hon'ble Court in CRL. R. P. No. 100310/2025, dated 14.10.2025 of **Rs.96,000/- (Ninety-Six Thousand Rupees)** on 16-10-2025 and also as per the direction of st Addl. District and Sessions Judge, Haveri in Cri. Appeal No. 32/2025 of **Rs.64,000/- (Sixty Four***



Thousand Rupees) on 08-05-2025. The Respondent/complainant has also acknowledged the same. Respondent agreed to withdraw the amount of **Rs.1,60,000/- (One Lakh Sixty Thousand Rupees)** deposited before the trial court.

3. This Hon'ble Court may pass an order to withdraw the deposited amount of **Rs 1,60,000/- (One Lakh Sixty Thousand Rupees)** before the Trial Court in C. C. No. 2520/2023 by Respondent/Complainant.

4. That on payment of the amount aforesaid the entire transaction between the Petitioner and Respondent may kindly be closed and the Petitioner shall be discharged from his liability and acquit from the offence punishable U/s. 138 of Negotiable Instruments Act."

2. Placing the joint memo on record, petition is **disposed of.**

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

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

AC
Ct-cmu
LIST NO.: 1 SL NO.: 34