



IN THE HIGH COURT OF KARNATAKA, AT DHARWAD

DATED THIS THE 4TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE V.SRISHANANDA

CRIMINAL PETITION NO. 102218 OF 2021

(482(CR.PC)/528(BNSS))

C/W

CRIMINAL PETITION NO. 102219 OF 2021

IN CRL.P.NO.102218/2021

BETWEEN:

R. SIDDU S/O NARASAPPA
AGE 42 YEARS, OCC. BUSINESS,
R/O. NEAR ERANNA TEMPLE,
ISLAMPUR, GANGAVATHI,
DIST. KOPPAL.

...PETITIONER

(BY SRI. A.M. GUNDAWADE, ADVOCATE)

AND:

PAMPAPATHI S/O BASAPPA KUMBAR
AGE 44 YEARS, OCC. BUSINESS,
R/O. HIRE JANTAKAL, TQ. GANGAVATHI
GANGAVATHI, DIST. KOPPAL - 583227.

...RESPONDENT

(BY SRI. JAGADISH PATIL AND SRI. VYAS DESAI, ADVOCATES)

THIS CRIMINAL PETITION IS FILED U/S 482 OF CR.P.C.,
SEEKING TO SET ASIDE THE ORDER DATED 21.10.2019 IN THE
CASE BEARING C.C. NO. 282/2019, ARISING OUT OF P.C. NO.
290/2019 AND ALSO ORDER DATED 19.07.2021 IN CRL.REV.P





NC: 2026:KHC-D:1627
CRL.P No. 102218 of 2021
C/W CRL.P No. 102219 of 2021

75/2019, PASSED BY I ADDL. DISTRICT AND SESSIONS JUDGE, KOPPAL (SITTINAT AT GANGAVATHI) AGAINST THE PETITIONER, FOR THE ALLEGED OFFENCES U/S 138, OF NEGOTIABLE INSTRUMENTS ACT, ON THE FILE OF PRINCIPAL CIVIL JUDGE AND JMFC COURT, GANGAVATHI, BY ALLOWING THE APPLICATION FILED U/S 258, 245 R/W SECTION 259 OF CR.P.C.

IN CRL.P.NO.102219/2021
BETWEEN:

R. SIDDU S/O NARASAPPA
AGE 42 YEARS, OCC. BUSINESS,
R/O. NEAR ERANNA TEMPLE,
ISLAMPUR, GANGAVATHI, DIST. KOPPAL.

...PETITIONER

(BY SRI. A.M. GUNDAWADE, ADVOCATE)

AND:

SHARANABASAPPA S/O BASAPPA
AGE 42 YEARS, OCC. BUSINESS,
R/O. GUNDAMMA CAMP,
GANGAVATHI DIST. KOPPAL.

...RESPONDENT

(BY SRI. JAGADISH PATIL AND SRI.VYAS DESAI, ADVOCATES)

THIS CRIMINAL PETITION IS FILED U/S 482 OF CR.P.C., SEEKING TO QUASH THE ENTIRE PROCEEDINGS OF THE CASE BEARING C.C. NO. 1832/2018, ARISING OUT OF P.C. NO. 195/2018, AGAINST THE PETITIONER, FOR THE ALLEGED OFFENCES U/S 138, 142 OF NEGOTIABLE INSTRUMENTS ACT, ON THE FILE OF PRINCIPAL CIVIL JUDGE AND JMFC COURT, GANGAVATHI, BY ALLOWING THE APPLICATION FILED U/S 258, 245 R/W SECTION 259 OF CR.P.C.



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

ORAL ORDER

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

Heard learned Advocates for the parties.

Order of taking cognizance of the offence punishable under Section 138 of the Negotiable Instruments Act is subject matter of the present petition following the dictum of the Hon'ble Apex Court in the case of ***Indian Bank Association and Others v. Union of India and Others*** reported in ***(2014) 5 SCC 590***, the relief of the present petition cannot be granted and all the defences are to be urged by the accused in accordance with law.

With that liberty for the accused, following:

ORDER

Petitions are ***dismissed***.

Sd/-
(V.SRISHANANDA)
JUDGE

KAV
LIST NO.: 3 SL NO.: 13/ CT-CMU