



IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 23RD DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE G BASAVARAJA

WRIT PETITION NO. 200048 OF 2026 (GM-RES)

BETWEEN:

VITHAL S/O PEERAPPA
AGE: 71 YEARS, OCC: AGRICULTURE
R/O SATHOLI, TQ: AND DIST: BIDAR-585412.

...PETITIONER

(BY SRI.AMEERAHAMAJA ABDULKADAR
GUNNAPURA, ADVOCATE)

AND:

THE STATE OF KARNATAKA
THROUGH GANDHI GUNJ POLICE STATION
BIDAR, REPRESENTED BY
HIGH COURT OF KARNATAKA
KALABURAGI BENCH, KALABURAGI-585102

...RESPONDENT

(BY SRI.GOPALKRISHNA B. YADAV, HCGP)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA READ WITH 482 OF CRPC, PRAYING TO I) QUASH THE ORDER DATED 08.04.2025 PASSED IN CRL. MISC. NO.722/2023 ON THE FILE OF THE PRINCIPAL DISTRICT AND SESSIONS JUDGE, BIDAR VIDE ANNEXURE-D; II) ALLOW THE APPLICATION SEEKING REMISSION FILED BY THE PETITIONER OR DIRECT RECONSIDERATION OF THE SAME IN ACCORDANCE WITH LAW AND ETC.,



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

CORAM: HON'BLE MR. JUSTICE G BASAVARAJA

ORAL ORDER

Petitioner has filed this petition under Article 226 and
226 of Constitution of India read with Section 482 of
Cr.P.C seeking following reliefs:

- (i) *Quash the order dated 08.04.2025 passed in Crl.Misc.No.722/2023 on the file of the Prl. Dist. & Sessions Judge, Bidar vide Annexure-D.*
- (ii) *Allow the application seeking remission filed by the petitioner or direct reconsideration of the same in accordance with law; and*
- (iii) *Grant such other reliefs as this Hon'ble Court deems fit in the interest of justice and equity.*

2. It is submitted by the learned counsel for the petitioner that the Prl. Dist. & Sessions Judge, Bidar has imposed a penalty of Rs.75,000/- for forfeiture of bail bond as per order dated 28.03.2024. Further, he would submit that the accused in S.C.No.36/2019 already



acquitted by the Prl. Dist. & Sessions Judge, Bidar, as per judgment dated 25.06.2025. Further, he would submit that the petitioner is a senior citizen, aged about 71 years, dependent on agricultural income and immediate enforcement of the impugned order would result in grave financial hardship and distress defeating the very purpose of seeking equitable relief before this Court. On all these grounds, sought for allowing this petition.

3. I have examined the materials placed before this Court.

4. The Prl. Dist. & Sessions Court has passed an order in CrI.Misc.No.722/2023 by rejecting the application filed by the petitioner for remission of fine amount. In para 2 of the impugned order, the Trial Court has observed that the petitioner himself has mentioned in his petition that he is ready to deposit Rs.35,000/-. The copy of the judgment in S.C.No.36/2019 on the file of the Prl. Dist. & Sessions Judge, Bidar, dated 25.06.2025, produced by the



petitioner reveals that the accused is acquitted by the Trial Court.

5. Considering the age of the petitioner, and acquittal of the main accused in S.C.No.36/2019 and also keeping in mind the decision relied on by the learned counsel for the petitioner in ***Mohammed Kunju and another vs. State of Karnataka [AIR 2000 SC 6]*** and also the offer made by the accused to deposit of Rs.35,000/-, I proceed to pass the following:

ORDER

- (i) The petition is ***partly allowed;***
- (ii) The warrant issued for realization of forfeiture of bond amount of Rs.75,000/- as ordered on 28.03.2024 by the Prl. Dist. & Sessions Judge, Bidar is modified as under;
 - a) The petitioner shall deposit Rs.35,000/- instead of Rs.75,000/-.



**NC: 2026:KHC-K:2592
WP No. 200048 of 2026**

Registry is directed to send a copy of this order to
the concerned Court.

**Sd/-
(G BASAVARAJA)
JUDGE**

SDU
LIST NO.: 1 SL NO.: 19
CT-BH