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ITEM NO.13

COURT NO.8

SECTION IIB

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl) No(s).5253/2011

(From the judgement and order dated 10/03/2011 in CRLA No.1415/2004, of  
The HIGH COURT OF KARNATAKA AT BANGALORE)

H.P. MUDLAPPA

Petitioner(s)

VERSUS

C.A. CHOWRAPPA

Respondent(s)

(With appln(s) for exemption from filing O.T. and office report)

Date: 10/07/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE T.S. THAKUR

HON'BLE MR. JUSTICE JAGDISH SINGH KHEHAR

For Petitioner(s)

Ms. Kiran Bhardwaj,Adv.

For Respondent(s)

Mr. Dushyan Parashar,Adv.

Mr. S. Sukumaran,Adv.

Mr. Bhupesh Kumar Pathak,Adv.

Ms. Meera Mathur,Adv.

UPON hearing counsel the Court made the following

O R D E R

Both the courts below have concurrently found that the version given by the petitioner in his complaint was not believable. They have accordingly given benefit of doubt to the respondent and acquitted him of the charge of having committed an offence punishable under Section 138 of the Negotiable Instruments Act, 1881.

Having heard learned counsel for the petitioner at some length and having been taken through the evidence adduced at the trial, we see no reason to strike a discordant note especially when appreciation of the evidence by the courts below does not suffer from any irrationality or perversity to warrant our interference.

The special leave petition, therefore, fails and is accordingly dismissed.

|(Mahabir Singh)  
| Court Master

|(Veena Khera)  
| Court Master