



HC-KAR

NC: 2025:KHC:39666  
CRL.RP No. 292 of 2022

**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**

**DATED THIS THE 8<sup>TH</sup> DAY OF OCTOBER, 2025**

**BEFORE**

**THE HON'BLE MR. JUSTICE VENKATESH NAIK T**

**CRIMINAL REVISION PETITION NO.292 OF 2022**

**BETWEEN:**

B.K. SHIVAKUMAR  
S/O. KRISHNAPPA,  
AGED ABOUT 46 YEARS,  
M/S. SRI VENKATESHWARA TRADERS,  
3<sup>RD</sup> MAIN ROAD,  
KEMPEGOWDA NAGAR,  
NEAR OLD CHECKPET,  
T. DASARAHALLI,  
BENGALURU - 560 057.

...PETITIONER

(BY SRI R. SATISHCHANDRA, ADVOCATE)

**AND:**

J. B. GANGADHARAIHAH  
S/O. LATE BOREGOWDA,  
AGED ABOUT 73 YEARS,  
RESIDING AT 141/1,  
SRI BYRAWESHWARA NILAYA,  
4<sup>TH</sup> MAIN ROAD,  
NEAR VIDYANIKETHAN SCHOOL,  
VIDYANAGAR, T. DASARAHALLI,  
BENGALURU - 560 057.

...RESPONDENT

(BY SRI V.D. RAVIRAJ, ADVOCATE)

THIS CRIMINAL REVISION PETITION IS FILED UNDER  
SECTION 397 R/W 401 CR.P.C PRAYING TO SET ASIDE THE  
JUDGMENT AND ORDER PASSED IN CRL.A.NO.355 OF 2019 ON  
THE FILE OF THE LVIII ADDITIONAL CITY CIVIL AND SESSIONS





JUDGE (CCH-59) AT BENGALURU DATED 13.12.2021 BY SETTING ASIDE THE JUDGMENT AND ORDER OF C.C.NO.29397 OF 2015 PASSED BY COURT OF THE JUDGE COURT OF SMALL CAUSES AND XXVI A.C.M.M., AT BENGALURU DATED 16.01.2019.

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

CORAM: HON'BLE MR. JUSTICE VENKATESH NAIK T

**ORAL ORDER**

Learned counsel for the revision petitioner and learned counsel for the respondent are present.

2. Learned counsel for the revision petitioner has filed a memo enclosing a copy of Lok Adalath compromise. The contents of the memo read as under:

*The undersigned advocate appearing for petitioner respectfully submits that the petitioner and respondent have settled the matter before the Lok adalath on 26.04.2025 in a connected matter in Criminal Revision Petition No.309/2022 and copy of the joint memo and order passed is herewith produced for kind perusal of the court for necessary orders.*

3. Learned counsel for the revision petitioner has also filed a copy of the order passed in Crl.R.P.No.309/2022 before the National Lok Adalath held on 26.04.2025. The content of



the conciliation order passed by the National Lok Adalath reads  
as under:

*"Learned counsel appearing for the parties and the respective parties are present.*

*2. Heard the learned counsel appearing for the respective parties.*

*3. Learned counsel for the petitioner submits that there are two more Crl.R.P.Nos.292/2022 and 334/2022 wherein, the petitioner in this matter is the petitioner in the first case i.e., in Crl.R.P.No.292/2022, Sri.J.B.Gangadharaiah and in Crl.R.P.No.334/2022, Smt. Mamatha are the respondent respectively. As against the total cheque amount in all the three cases being 13,50,000/-, the respondents in the respective revision petitions stated supra have agreed to receive a sum of Rs.12,75,000/- collectively as full and final settlement.*

*4. Learned counsel for the respondent submits that already a sum of Rs.7,50,000/- collectively has been deposited before the trial Court, in all the criminal cases supra.*

*5. Both the parties have settled all the three cases stated supra for Rs.5,25,000/- in addition to Rs.7,50,000/- in deposit supra. Learned counsel for the petitioner in all the cases stated supra submits that the agreed amount of Rs.5,25,000/- would be either deposited or paid through DD in the respective names of the parties on or before 14.08.2025 and requests to modify the judgment of conviction and order of sentence passed in each case.*

*6. In view of the settlement arrived in Crl.R.P.No.309/2022, the judgment of conviction and order of sentence in C.C.No.29399/2015 dated 16.01.2019 passed by the Judge, Court of Small Causes and XXVI ACMM at Bengaluru and order of confirmation in Crl.A.No.354/2019 dated 13.12.2021 passed by the LVIII Additional City Civil and Sessions Judge (CCH-59), Bengaluru City are hereby set aside and modified as*



*settled in terms of the joint memo. Petitioner is acquitted for the offence punishable under Section 138 of N.I.Act.*

*7. In so far as Crl.R.P.No.292/2022 and 334/2022 are concerned, both the parties jointly submit that they would place the joint memo filed in this petition along with copy of the order passed today and seek for appropriate orders before the concerned Roster Bench.*

*8. The joint memo filed today will be treated as part and parcel of the order. In view of the same, present revision petition is disposed of as settled.*

*9. If the petitioner fails to deposit the agreed sum of Rs.5,25,000/- on or before 14.08.2025, the settlement arrived stands canceled and the judgment of conviction and the order of sentence passed in this Crl.R.P will be revived. Complainant is at liberty to execute the same, in the manner known to law."*

4. Learned counsel has also filed a copy of the joint memo before the Lok Adalath, wherein the parties have agreed to settle the matter for a total sum of Rs.12,75,000/- (Rupees Twelve Lakh Seventy Five Thousand only) out of the cheque amount of Rs.13,50,000/- (Rupees Thirteen Lakh Fifty Thousand only) in three matters, namely  
1) Crl.R.P.No.309/2022, 2) Crl.R.P.No.292/2022 and  
3) Crl.R.P.No.334/2022, which reads as under:

*"The Petitioner and Respondent respectfully submits as follows:*

*Both parties have agreed to settled the matter for Rs.12,75,000/- (Rupees Twelve Lakh Seventy Thousand*



*only) out of the cheque amount of Rs.13,50,000/- (Rupees Thirteen Lakh Fifty Thousand only) in three matters 1) Crl.RP.No.292/2022 (between Sri. B.K.Shivakumar vs. Sri. J.B.Gangadharaiah) and 2) Crl.RP.No.334/2022 (between Sri.B.K.Shivakumar vs. Smt. Mamatha). Accordingly, the appellant already deposited 7,50,000/- (Rupees Seven Lakh Fifty Thousand only) before Trial Court.*

*In view of the settlement the petitioner agreed to pay sum of Rs.5,25,000/- (Rupees Five Lakh Twenty Five Thousand only) in addition to the 7,50,000/- (Rupees Seven Lakh Fifty Thousand only) on or before 14.08.2025 of all three above stated cases.*

*Hence, compromised as agreed."*

5. In view of the settlement arrived at between the petitioner and the respondent, Crl.R.P.No.309/2022 was disposed of before the National Lok Adalath. Accordingly, this Criminal Revision Petition is also ***disposed of.***

6. Consequently, the judgment of conviction dated 16.01.2019 passed in CC.No.29397/2015 by the learned Judge, Court of Small Causes and XXVI A.C.M.M., at Bengaluru, which is confirmed by the LVIII Additional City Civil and Sessions Judge (CCH-59) at Bengaluru City, in Crl.A.No.355/2019 dated 13.12.2021, are hereby set aside.

7. The bail bond executed by the revision petitioner/accused and that of the surety stand cancelled.



8. In view of the disposal of the petition, all pending interlocutory applications, if any, stand disposed of.

**SD/-**  
**(VENKATESH NAIK T)**  
**JUDGE**

AM  
List No.: 1 Sl No.: 14