

Vasanthha vs Lohith R

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Court : Karnataka

Decided On : Feb-01-2025

Judge : H.P.Sandesh

Appeal No. : CRL.RP/698/2024

Appellant : Vasanthha

Respondent : Lohith R

Judgement :

-1-

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 1ST DAY OF FEBRUARY, 2025 BEFORE THE
HON'BLE MR JUSTICE H.P.SANDESH CRIMINAL REVISION
PETITION NO.698 OF 2024 BETWEEN:

1. VASANTHA, W/O RAMALINGU, AGED ABOUT 43 YEARS, R/AT
NO.872/1A, 10TH CROSS, MAHADESHWARA LAYOUT,
KUMBARAKOPPAL, MYSURU - 570 016. PETITIONER (BY SRI.
KUMARA K.G., ADVOCATE) AND:

1. LOHITH R., Digitally signed S/O RAMAIAH,

by DEVIKA M

AGED ABOUT 41 YEARS, Location: HIGH

KARNATAKA MANADAVADI ROD, MYSURU-570008. RESPONDENT (BY SRI. ANANTHARAMA C., ADVOCATE) THIS CRL.RP IS FILED UNDER SECTION 397 R/W 401 OF CR.P.C PRAYING TO SET ASIDE THE ORDER PASSED BY THE IV ADDITIONAL DISTRICT AND SESSIONS JUDGE, MYSURU IN

CRL.A.NO.315/2023 DATED 22.03.2024 AND JUDGMENT

PASSED BY THE J.M.F.C.-III COURT, MYSURU DATED 18.08.2023 IN C.C.NO.187/2019, TO ACQUIT THE PETITIONER OF THE CHARGE UNDER SECTION 138 OF NEGOTIABLE INSTRUMENTS ACT, BY ALLOWING THIS CRL.RP. -2- THIS PETITION COMING ON FOR ADMISSION THIS DAY,

ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE H.P.SANDESH

ORAL ORDER

This Court vide order dated 30.05.2024 suspended the sentence of the petitioner subject to depositing of 50% of the fine amount within four weeks. When the matter was listed on 27.06.2024, none appeared and notice was issued to the respondent.

2. The learned counsel for the respondent submits that

notice is issued and the petitioner also filed I.A.No.2/2024 for extension of time to comply with the interim order dated 30.05.2024 passed by this Court and the same was allowed and two weeks time was granted. In spite of extension of time also, no amount was deposited.

3. The learned counsel for the petitioner submits that this order has not been complied, but there was a settlement between the parties and an amount of Rs.1 lakhs was paid to the respondent. -3-

4. The learned counsel for the respondent submits that no such instructions is given to him for having made the payment.

5. When such being the case and when the amount is

not deposited as directed by this Court even after extension of time also, the question of considering this revision petition does not arise. Even if the matter is compromised between the parties also, it is the look out of the parties to proceed in accordance with law.

6. The criminal revision petition is dismissed. Sd/- (H.P.SANDESH) JUDGE MD
List No.: 1 SI No.: 42

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