

**IN THE HIGH COURT OF KARNATAKA
CIRCUIT BENCH AT DHARWAD**

DATED THIS THE 29TH DAY OF AUGUST, 2011

BEFORE

THE HON'BLE MR.JUSTICE B.V.PINTO

CRIMINAL APPEAL NO.502/2006

BETWEEN:

Sri. P. V. Narasaiah
S/o. Narasimhulu
Major, R/o. Cowl Bazaar
Bellary

... APPELLANT

(By Sri. R. B. Deshpande, Adv.)

AND:

Sri. S. Honnaiah
S/o. S. Sunkappa
Major, Land-Lord cum Lorry owner
R/o. D. No.130, W.P.No.18
Sir M. V. Nagar, 4th Cross (Right side)
Kappagal Road, Bellary 583 103.

... RESPONDENT

(By Sri. H. Mallan Goud, Adv.)

This criminal appeal is filed under Section 378(4) Cr.P.C. praying to set aside the judgment and order of acquittal dt.26.12.2005 passed by the Addl. C.J.(Jr.Dn.) & JMFC, Bellary, in C.C.No.2277/2003, acquitting the respondent – accused for the offence p/u/s 138 of N.I. Act.



This criminal appeal coming on for orders this day, the Court delivered the following: -

JUDGMENT

This appeal is filed challenging the judgment dated 26.12.2005 passed by the Addl. Civil Judge (Jr.Dn.) and JMFC, Bellary in C.C.No.2277/2003 acquitting the respondent of the offences under Section 138 of Negotiable Instruments Act.

2. The appeal was filed in the Principal Bench of this Court on 28.02.2006. The respondent though served did not appear before the Court personally. Hence this Court has again issued notice to the respondent and the appellant. The appellant and respondent have filed a joint application dated 21.07.2011 stating that the matter has been settled and the appellant and respondent have jointly requested to dismiss the appeal.



3. I have gone through the contents of the letter dated 27.01.2011 and also the signatures found therein. I am satisfied that the matter has been settled between the parties.

Hence the appeal is dismissed.

**Sd/-
JUDGE**

gab