



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 31ST DAY OF JANUARY, 2023

BEFORE

THE HON'BLE MR JUSTICE P.N.DESAI

CRIMINAL APPEAL NO. 874 OF 2012 (A)

BETWEEN:

GIRIVAJRA CHITS (P) LTD
386, SAMPIGE ROAD,
MALLESHWARAM
BENGALURU-560 003,
REPRESENTED BY ITS DIRECTOR,
P.J.KRISHNA MURTHY.

...APPELLANT

(BY SRI. G S PRASANNA KUMAR.,ADVOCATE, ABSENT)

AND:

LEELA S PRAKASH
AGED ABOUT 45 YEARS,
W/O K.P.SHIVAPRAKASH,
#67, II MAIN, VENKATAPPA LAYOUT,
BSK III STAGE,
HOSAKEREHALLI,
BENGALURU-560 085.

...RESPONDENT

(BY SRI. R NAGENDRA NAIK .,ADVOCATE,)

THIS CRL.A. FILED U/S.378(4) CR.P.C BY THE ADV., FOR THE APPELLANT PRAYING TO SET ASIDE THE IMPUGNED JUDGMENT DATED 06.06.2012 PASSED BY THE XV A.C.M.M., BANGALORE IN C.C.NO.23137/2009 - ACQUITTING THE RESPONDENT/ACCUSED FOR THE OFFENCE PUNISHABLE UNDER SECTION 138 OF N.I.ACT.

THIS APPEAL, COMING ON FOR HEARING, THIS DAY, THE COURT DELIVERED THE FOLLOWING:



JUDGMENT

This case was called in the morning session and there was no representation for the appellant. Even during post-lunch session, when the matter is called, there is no representation for the appellant. The order sheet dated 17.01.2023 indicates that the appellant's counsel is unable to reach the appellant. So it appears, the appellant is also not in contact with his counsel. It is seen that the counsel for the appellant has also issued notice but he has not placed the retirement memo. It was also made clear by order dated 17.01.2023 that if the appellant does not argue the case on the next date of hearing, the appeal would be dismissed. In spite of the same, learned counsel for the appellant is not present. So it appears, the appellant is not interested in prosecuting the case.

3. Hence, the appeal is dismissed for non-prosecution.

**Sd/-
JUDGE**

MN

List No.: 1 Sl No.: 35