HC-KAR

NC: 2026:KHC:55762
CRL.RP No. 987 of 2019

CNR: KAHC010224142019

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 6TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE T.P.VIVEKANANDA

CRIMINAL REVISION PETITION NO.987 OF 2019

BETWEEN:

STATE OF KARNATAKA
BY ASST. DRUG CONTROLLER,
UDUPI CIRCLE,
REPRESENTED BY STATE
PUBLIC PROSECUTOR,
HIGH COURT BUILDING,
BENGALURU-01

...PETITIONER

(BY SRI. VINAY MAHADEVAIAH, HCGP)

AND:

RAVI KUMAR
ASHWATH CLINIC,
CHAKRAMMA KODI,
KODI-576 254,
UDUPI DISTRICT-576 254.

...RESPONDENT

(BY SRI. PRASAD HEGDE K., ADVOCATE)

Digitally signed by PAVITHRA B
Location: HIGH COURT OF KARNATAKA

THIS CRL.RP IS FILED U/S.397 R/W 401 CR.P.C PRAYING TO SET ASIDE THE IMPUGNED JUDGMENT DATED 15.05.2019 IN CRIMINAL APPEAL NO.32/2013 PASSED BY THE LEARNED ADDITIONAL DISTRICT AND SESSIONS JUDGE, SITTING AT KUNDAPURA, KUNDAPURA AND ENHANCE THE SENTENCE AS PRESCRIBED UNDER THE ACT PASSED IN C.C.NO.1833/2004 DATED 28.03.2012 PASSED BY THE ADDITIONAL CIVIL JUDGE AND JMFC AT KUNDAPURA.

THIS PETITION, COMING ON FOR HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE T.P.VIVEKANANDA

ORAL ORDER

The State has filed this Criminal Revision Petition challenging the judgment of conviction and sentence dated 28.03.2012 passed in CC.No.1833/2004 which was confirmed in Crl.A.No.32/2013 dated 15.05.2019 by the Addl. District and Sessions Judge, Udupi (Sitting at Kundapura), Kundapura, on the ground that the sentence imposed is not adequate to the gravity of the crime committed by the respondent/accused.

2. The learned counsel appearing for the respondent/accused produces the copy of the order passed in Criminal Revision Petition No.879/2019 dated 18.07.2023 passed by the Co-ordinate Bench of this Court wherein the very judgment of conviction and sentence passed in CC.No.1833/2004 itself has been set aside and the respondent/accused has been acquitted for the

offences punishable under Sections 27(b)(ii) and 28 of the Drugs and Cosmetic Act, 1940.

3. In the light of the said judgment, the present Criminal Revision Petition for enhancement of the sentence would not survive for further consideration. Accordingly, the Criminal Revision Petition is ***dismissed***.

Sd/-
(T.P.VIVEKANANDA)
JUDGE

PB
List No.: 2 Sl No.: 5