HC-KAR

NC: 2026:KHC:55574
CRL.A No. 1014 of 2024

CNR: KAHC010302212024

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 6TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE G BASAVARAJA

CRIMINAL APPEAL NO. 1014 OF 2024 (A)

BETWEEN:

SRI. T.R. DHARMAPPA GOWDA,
S/O LATE RAME GOWDA,
AGED ABOUT 61 YEARS,
COFFEE PLANTER,
MANJU- VENKATESHWARA ESTATE,
HALASURU VILLAGE,
BALEHONNUR POST,
N R PURA TALUK,
CHIKKAMAGALURU DISTRICT - 577 112.

...APPELLANT

(BY SRI. SHAMANNA B H., ADVOCATE)

AND:

Digitally signed by REKHA R
Location: High Court of Karnataka

SRI. ABDUL KAHDHAR
PROPRIETOR TASLEEMA TRADERS,
MAIN ROAD KADABAGERE,
SANGAMESHWARAPETE POST,
CHIKKAMAGALURU DISTRICT-577136

ALSO AT BESIDE ANNAPURNA HOSPITAL,
K M ROAD, CHIKKAMAGALUR,
CHIKKAMAGALUR DISTRICT - 577101

...RESPONDENT

THIS CRL.A IS FILED UNDER SECTION 378(4) CR.PC BY THE ADVOCATE FOR THE APPELLANT PRAYING THAT THIS HONOURABLE COURT MAY BE PLEASED TO SET ASIDE THE JUDGMENT OF THE HONBLE CIVIL JUDGE AND JMFC, N.R. PURA, CHIKKAMAGALURU DISTRICT, DATED 20.03.2024 BY ALLOWING THIS APPEAL AND CONSEQUENTLY ALLOW THE C.C.NO.215/2019 BY CONVICTING THE ACCUSED WITH DOUBLE THE CHEQUE AMOUNT AND ETC.,

THIS APPEAL, COMING ON FOR ADMISSION, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE G BASAVARAJA

ORAL JUDGMENT

Learned counsel for the appellant has filed a memo. Same reads as under:

"***MEMO***

The Appellant humbly submits that he was the complainant before the Hon'ble Trial Court and this appeal is filed in challenging the Judgment dated 20/3/2019, passed by the Hon'ble Civil Judge and JMFC at N.R.Pura, Chikkamagalur District in C.C.No.215/2019 in acquitting the accused/respondent. It is

submitted that in view of judgment of Hon'ble Supreme Court in the matter of M/s Celestium Financial /Vs/ A Gnanasekaran this appellant has to file appeal before the Hon'ble Sessions Court at Chikkamagalur, hence, the appeal may kindly be referred to jurisdictional Chikkamagalur Court in the ends of justice."

Memo is taken on record.

Keeping in mind the judgment of the Hon'ble Supreme Court in the case of CELESTIUM FINANCIAL v. A GNANASEKARAN ETC. reported in 2025 SCC ONLINE SC 1320, this appeal stands ***disposed of*** transferring the case to concerned District Court for disposal.

The Registry is directed to send copy of this judgment along with Trial Court Records to the concerned Court.

The concerned Principal District and Sessions Judge, is directed to issue notice to both parties and fix the date

to appear before the Court, and thereafter to dispose of the case in accordance with law.

Sd/-
(G BASAVARAJA)
JUDGE

RR
List No.: 1 Sl No.: 26