NC: 2026:KHC-D:8246
CRL.RP No. 100185 of 2026

HC-KAR

IN THE HIGH COURT OF KARNATAKA AT DHARWAD

DATED THIS THE 23RD DAY OF JUNE, 2026

BEFORE

THE HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

CRIMINAL REVISION PETITION NO.100185 OF 2026

(397(Cr.PC)/438(BNSS))

BETWEEN:

JAGADEESH S/O. KESHAVRAO VERNEKAR,
AGE. 49 YEARS, OCC. BUSINESS,
R/O. BAILAPPANAVAR NAGAR,
HUBBALLI-580023.

...PETITIONER

(BY SRI. ROHIT L.SHEELVANT, ADVOCATE)

AND:

THE STATE OF KARNATAKA,
R/BY PSI, SUB-URBAN POLICE STATION,
HUBBALLI, BY STATE PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA, DHARWAD-580001.

...RESPONDENT

(BY SMT. GIRIJA S.HIREMATH, HCGP)

Digitally signed by CHANDRASHEKAR LAXMAN KATTIMANI
Location: HIGH COURT OF KARNATAKA DHARWAD BENCH DHARWAD

THIS CRIMINAL REVISION PETITION IS FILED UNDER SECTION 438 R/W 442 OF BNSS (UNDER SECTION 397 R/W 401 OF CR.P.C.), PRAYING TO CALL FOR RECORDS, ALLOW THE REVISION PETITION AND MODIFY THE ORDER DATED 20.01.2026 PASSED IN CRIMINAL APPEAL NO.52/2019 BY THE 1ST ADDL. DISTRICT AND SESSIONS JUDGE DHARWAD SITTING AT HUBBALLI, ONLY IN SO FAR AS IT RELATE TO MAKING ABSOLUTE OF RS.4,00,000/- SEIZED IN PF 30/2013 AND ORDER FOR THE RELEASE OF THE AMOUNT OF RS.4,00,000/- SEIZED UNDER PF 30/2013 BY THE TOWN POLICE STATION HUBBALLI IN FAVOUR OF REVISION PETITIONER AND ETC.,.

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

CORAM: HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

ORAL ORDER

Delay of 44 days in filing the revision petition is condoned by allowing I.A.No.1/2026.

2. Heard the learned counsel for the petitioner and the learned High Court Government Pleader (HCGP) for the respondent.

3. This revision petition is filed challenging the order dated 20.01.2026 in Criminal Appeal No.52/2019, wherein the Appellate Court has confiscated the amount of ₹4,00,000/- seized under PF No.30/2013 by the Town Police Station, Hubballi.

4. Learned counsel for the petitioner submits that, the Trial Court convicted petitioner for the offences under Sections 171E and 171F of Indian Penal Code, 1860 and ₹4,00,000/- seized from the petitioner was confiscated to the State.

5. On appeal, the appeal is allowed and petitioner/ accused is acquitted. However, the amount which is confiscated is not released.

6. Learned counsel for the petitioner submits that ₹4,00,000/- which was seized was handed over to the complainant in terms of interim order subject to the result of the complaint before the Trial Court and on conviction, he has deposited the said amount before the Trial Court. However, since the appeal is allowed, the amount legally should have been ordered to be returned to petitioner.

7. Learned HCGP would oppose the prayer and would defend the impugned order.

8. The Court has considered the contentions.

9. The amount of ₹4,00,000/- which is recovered from the petitioner was handed over to the petitioner in terms of the interim order when the proceeding was pending before the Trial Court. Petitioner was convicted. The petitioner claims that he has re-deposited the amount pursuant to the order passed by the Trial Court and however, the appeal is allowed and he has acquitted. However, the amount deposited is not ordered to be released. Since, the petitioner is acquitted of all charges and since it is not in dispute that the amount is recovered from the

petitioner, the amount should be released in favour of the petitioner. Hence, following:

ORDER

i. The petition ***is allowed***.

ii. The Trial Court shall verify as to whether the amount is re-deposited by the accused. If it is re-deposited, it shall be released in favour of the petitioner.

Sd/-
(ANANT RAMANATH HEGDE)
JUDGE

CLK
CT: UMD
List No.: 1 Sl No.: 49