IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO(S). OF 2026
(@ SLP (CRL.) NOS. 18472-18476 OF 2025)

GOPAL SHARMA **Appellant(s)**

VERSUS

RATIRAM YADAV **Respondent(s)**

O R D E R

1. Leave granted.

2. These appeals are directed against the common order dated 08.10.2025 passed by the High Court. The High Court by the impugned order has set aside the judgment of acquittal of the appellant in proceeding under Section 138 of the Negotiable Instruments Act, 1881, passed by Additional Sessions Judge in three cases and in one case has upheld the judgment reducing the sentence awarded to the appellant from one year to three months. The High Court thus has restored the judgment of the Magistrate convicting the appellant.

3. We have heard learned counsel for the parties at length.

4. For the purposes of deciding the controversy in hand, it is not necessary to advert to the facts in detail. Suffice it to say that the appellant had borrowed a loan of Rs. 2,00,000/- (Rupees Two lakhs) from the respondent and had issued four cheques. The Trial Court by an order dated 13.11.2017 convicted the appellant in all the four cases and sentence him to undergo one year of simple imprisonment and a fine of Rs. 2,40,000/- in each case. The Additional Sessions Judge by a judgment dated 06.04.2018 acquitted

the appellant in three cases and reduced the sentence from one year to three months in the fourth case. The parties filed criminal revision petitions before the High Court. Thereupon, the High Court has passed an impugned common order.

5. This Court in the case of *Joseph Stephen v. Santhanasamy*[1] has held that revisional court automatically cannot reverse the judgment of acquittal until and unless it comes to the conclusion that the findings of acquittal suffer from manifest error. In case the revisional court comes to the aforesaid conclusion, it has to remit the matter for a fresh consideration.

6. In the instant case all the four cheques were issued in relation to one transaction, therefore, in the peculiar facts and circumstances of the case and in view of the law laid down by this Court in *Joseph Stephen (supra)*, we quash and set aside the order dated 08.10.2025 passed by the High Court.

7. The matters are remitted to the Additional Sessions Judge, who shall hear the parties and shall decide the appeals afresh. Accordingly, the Appeals are disposed of.

……J.
[PAMIDIGHANTAM SRI NARASIMHA]

……J.
[ALOK ARADHE]

NEW DELHI;
APRIL 27, 2026

1 **(2022) 13 SCC 115**

ITEM NO.21 COURT NO.6 SECTION II-D

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl.) No(s). 18472-18476/2025

[Arising out of impugned final judgment and order dated 08-10-2025 in SBCRRP No. 1305/2018 08-10-2025 in SBCRRP No. 626/2018 08-10-2025 in SBCRRP No. 696/2018 08-10-2025 in SBCRRP No. 1183/2018 08-10-2025 in SBCRRP No. 1258/2018 passed by the High Court of Judicature for Rajasthan at Jaipur]

GOPAL SHARMA Petitioner(s)

VERSUS

RATIRAM YADAV Respondent(s)

[MEDIATION REPORT RECEIVED.]
IA No. 284166/2025 - EXEMPTION FROM FILING O.T.

Date : 27-04-2026 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE PAMIDIGHANTAM SRI NARASIMHA
HON'BLE MR. JUSTICE ALOK ARADHE

For Petitioner(s) :Mr. Ashok Gaur, Sr. Adv.
Ms. Megha Karnwal, AOR
Ms. Sakshi Singh, Adv.

For Respondent(s) :Mr. Namit Saxena, AOR

UPON hearing the counsel the Court made the following
O R D E R

1. Leave granted.

2. The Civil Appeals are disposed of in terms of the Signed Order.

3. Pending application(s), if any, shall stand disposed of.

(KAPIL TANDON) (NIDHI WASON)
COURT MASTER (SH) ASSTT. REGISTRAR(NSH)
(Signed Order is placed on the file)