

IN THE SUPREME COURT OF INDIA

CRIMINAL APPEAL NO. OF 2026
(arising out of SLP(Crl.) No. 17025/2025)

RAJASAB **APPELLANT(S)**

VERSUS

HULAGAPPA **RESPONDENT (S)**

ORDER

1. Leave granted.
2. The appellant, Rajasab, is aggrieved by the judgment and order dated 25.04.2025 passed by a learned Judge of the High Court of Karnataka, Dharwad Bench, in his Criminal Revision Petition No. 100116/2019.
3. By the said judgment and order, the learned Judge allowed the revision in part. While maintaining the conviction of the appellant for the offence punishable under Section 138 of the Negotiable Instruments Act, 1881, the learned Judge reduced the fine amount from ₹1,15,000/- (Rupees one lakh fifteen thousand only) to ₹1,10,000/- (Rupees one lakh ten thousand only). This amount was directed to be paid as compensation to the complainant within the extended period of time. We are informed that the appellant paid the same pursuant to the aforestated order.

4. The question for consideration is whether the cheque in question was made out for a sum of ₹10,000/- (Rupees ten thousand) or whether it was materially altered so as to make it for a sum of ₹1,10,000/- (Rupees one lakh ten thousand).
5. The trial Court, *vide* judgment dated 11.08.2014, convicted the appellant, accepting the plea of the complainant that the cheque was made out for a sum of ₹1,10,000/- (Rupees one lakh ten thousand only). The learned District & Sessions Judge, Koppal, dismissed the appeal filed by the appellant, *vide* judgment dated 25.03.2019. The High Court was also not inclined to accept the plea of the appellant that the cheque in question had been materially altered.
6. A copy of the cheque in question is placed on record at page 30. Bare perusal of the said cheque clearly demonstrates that the words 'One Lak' were interjected before the words 'Ten Thousand only', and the numerical '1' was inserted in the box, before '10,000/-'.
7. When the alteration of the cheque is patently clear on the face of it, the Courts below ought not to have insisted on any further evidence in that regard. The material alteration of the cheque was manifest. We are, therefore, of the opinion that the conviction of the appellant, Rajasab, on the ground that the aforestated cheque was dishonoured, upon presentation, cannot be sustained.
8. All the judgments in question are, accordingly, set aside.

The amount received by the respondent pursuant to the aforestated orders shall be reimbursed to the appellant within a period of four weeks from today.

9. In the event any part of the amount deposited by the appellant is still lying to the credit of the case before the Court concerned, the appellant is at liberty to move an appropriate application for release of the said amount along with interest accrued thereon, if any.
10. The appeal is allowed in the aforestated terms.
11. Pending application(s), if any, stand disposed of.

.....J.
(SANJAY KUMAR)

.....J.
(SANJEEV SACHDEVA)

NEW DELHI;
JULY 17, 2026.

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

Petition for Special Leave to Appeal (Crl.) No. 17025/2025

[Arising out of impugned final judgment and order dated 25-04-2025 in CRLRP No. 100116/2019 passed by the High Court of Karnataka Circuit Bench at Dharwad]

RAJASAB

Petitioner(s)

VERSUS

HULAGAPPA

Respondent(s)

(IA No. 250511/2025 - CONDONATION OF DELAY IN FILING and IA No. 250512/2025 - CONDONATION OF DELAY IN REFILING / CURING THE DEFECTS)

Date : 17-07-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KUMAR
HON'BLE MR. JUSTICE SANJEEV SACHDEVA

For Petitioner(s) :

Mr. Anil Katarki, Adv.
Ms. Veena Katarki, Adv.
Mr. Deva Vrat Anand, Adv.
Mr. T.R.B. Sivakumar, AOR

For Respondent(s) :

Ms. Akhila Wali, Adv.
Mr. Agam Sharma, AOR

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

Leave granted.

The appeal is allowed, in terms of the signed order.

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

(DEEPAK GUGLANI)
DEPUTY REGISTRAR

(PREETI SAXENA)
COURT MASTER (NSH)

(signed order is placed on the file)