

**IN THE HIGH COURT OF KARNATAKA AT BENGALURU****DATED THIS THE 3RD DAY OF MARCH, 2023****BEFORE****THE HON'BLE MR JUSTICE P.N.DESAI****CRIMINAL APPEAL NO. 853 OF 2012 (A)****BETWEEN:**

S. SINDU RAJ
AGED ABOUT 64 YEARS,
S/O LATE PERIANAYAGAM
R/AT NO. 57, 2ND CROSS,
VIVEK NAGAR, BANGALORE-47.

...APPELLANT

(BY SRI. A RADHAKRISHNA., ADVOCATE- ABSENT)

AND:

S. BHASKAR
S/O SATHYANATHAN
AGED 46 YEARS,
R/AT NO. 5, GRAPE GARDEN,
EJIPURA, VIVEK NAGAR,
BANGALORE-47

...RESPONDENT

(BY SRI. H. RAMACHANDRA., ADVOCATE- ABSENT)

THIS CRL.A. FILED U/S. 378(4) CR.P.C BY THE ADV., FOR THE APPELLANT PRAYING TO SET ASIDE THE ORDER DATED:11.7.12 PASSED BY THE XV ADDL.JUDGE AND 23RD ACMM, SCCH-19, BANGALORE IN C.C.NO.5/10 - ACQUITTING THE RESPONDENT/ACCUSED FOR THE OFFENCE PUNISHABLE UNDER SECTION 138 OF N.I. ACT.

THIS APPEAL, COMING ON FOR HEARING, THIS DAY, THE COURT DELIVERED THE FOLLOWING:





JUDGMENT

Today when the matter is called out, none represented the appellant nor the respondent. It is seen that earlier on several dates of hearing none represented the appellant or the respondent and inspite of the order of this court dated 24.02.2023 that the appeal would be dismissed, none represented today also, which shows that the appellant is not interested to prosecute the matter.

2. Accordingly, the appeal is dismissed for non-prosecution.

**Sd/-
JUDGE**

MN
List No.: 1 Sl No.: 35