



CNR: KAHC010170772026

NC: 2026:KHC:57063
CRL.RP No. 401 of 2026
C/W CRL.RP No. 400 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 12TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MRS. JUSTICE GEETHA K.B.

CRIMINAL REVISION PETITION NO. 401 OF 2026
(397(Cr.PC) / 438(BNSS))

C/W

CRIMINAL REVISION PETITION NO. 400 OF 2026
(397(Cr.PC) / 438(BNSS))

IN CRL.RP No. 401/2026

BETWEEN:

1. M/S MICASA RESTAURANTS PVT LTD.,
HAVING REGISTERED OFFICE AT
NO.1/A (OLD NO.1/9A), CHURCH STREET,
BENGALURU-560001,
REPRESENTED BY ITS PARTNER,
AJIT MUTHANNA, AGED ABOUT 49 YEARS
2. MR. AJIT MUTHANNA
S/O LATE K A MUTHANNA,
AGED ABOUT 49 YEARS,
RESIDING AT GROUND FLOOR,
AMIGO CASE FELIZ, 43/29, 2ND CROSS,
SINDHI LAYOUT, PROMENADE ROAD,
FRAZER TOWN, BENGALURU-560005

...PETITIONERS

(BY SRI.V.G.SUNIL KUMAR, ADVOCATE FOR
SRI. VISHWANATH H M.,ADVOCATE)

AND:

1. MR. SHAKIR GANGJEE

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S/O MR. FAHIM GANGJEE,
AGED 46 YEARS,
RESIDING AT NO. 402, 46, VIVIANI ROAD,
RICHARD TOWN, BENGALURU-560005

...RESPONDENT

(BY SRI.M.C.THIMMAIAH, ADVOCATE FOR
SRI.JOSHUA HUDSON SAMUEL, ADVOCATE)

THIS CRL.RP IS FILED U/S 397 R/W 401 CR.P.C (U/S 438 R/W 442 BNSS) BY THE ADVOCATE FOR THE PETITIONER PRAYING TO a) SET ASIDE THE JUDGEMENT AND ORDER DTD 02.12.2024 PASSED BY THE XIV ACMM, MAYO HALL UNIT, BENGALURU IN CC.NO.57662/2022 AND b) SET ASIDE THE JUDGEMENT AND ORDER DTD 28.01.2026 PASSED IN CRL.A.NO.25102/2025 BY THE IV ADDL. CITY CIVIL AND SESSIONS JUDGE (CCH-21) MAYO HALL UNIT, BENGALURU, FOR THE OFFENCE P/U/S 138 OF N.I ACT.

IN CRL.RP NO. 400/2026

BETWEEN:

1. MR. AJIT MUTHANNA,
S/O LATE K A MUTHANNA,
AGED ABOUT 49 YEARS,
RESIDING AT GROUND FLOOR,
AMIGO CASE FELIZ, 43/29, 2ND CROSS,
SINDHI LAYOUT, PROMENADE ROAD,
FRAZER TOWN, BENGALURU 560005

...PETITIONER

(BY SRI.V.G.SUNIL KUMAR, ADVOCATE FOR
SRI. VISHWANATH H M.,ADVOCATE)

AND:

1. MR. SHAKIR GANGJEE
S/O MR. FAHIM GANGJEE,
AGED 46 YEARS,

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RESIDING AT NO. 402, 46, VIVIANI ROAD,
RICHARD TOWN, BENGALURU 560005

...RESPONDENT

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THESE PETITIONS, COMING ON FOR ADMISSION, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MRS. JUSTICE GEETHA K.B.

ORAL ORDER

Learned counsel for the revision petitioner Sri Sunil Kumar V.G. appeared through video conference and learned counsel-Sri Thimmaiah for Sri J.Hudson Samuel, present. The GPA holder of the respondent Mr.Safdar Gangjee is also present and identified by his counsel.

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2. Heard both sides on the Mediation Settlement Agreement between parties. As per the said settlement, the petitioner undertakes to withdraw CrI.R.P No.401/2026 unconditionally.

3. The settlement in respect of CrI.R.P No.400/26 contains the following terms and conditions :

"II. In view of the settlement arrived by both the parties in the above revision petition the petitioner hereby undertakes to withdraw the same unconditionally.

III. During the Course of the mediation, both the parties along with the counsels present and they have agreed to the following terms of payment.

a) The Petitioner/accused has undertaken and confirmed to the respondent/complainant and his brother Mr. Safdar Gangjee that he shall pay a total sum of Rs.2,40,00,000/- (Rupees Two Crore Forty Lakhs Only) apart from a sum of Rs.49,17,359/- (Rupees Forty Nine Lakhs Seventeen Thousand Three Hundred Fifty Nine Only) which is already deposited by the petitioner/accused in the proceedings in C.C.No.57663/2022, C.C.No.57662/2022, C.C. No.55869/2022, C.C.No.55331/2022. No deposits have been made in C.C No.15509/2022 and C.C No.512/2022.

b) The respondent/complainant and his brother Safdar Gangjee have agreed to receive a total sum of Rs.2,40,00,000/- (Rupees Two Crore Forty Lakhs

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Only) towards settlement of all their claims in the above criminal cases.

c) The accused has undertaken to pay the above said sum of Rs.2,40,00,000/- (Rupees Two Crore Forty Lakhs Only) to the respondent/complainant in 10 installments as detailed hereunder.

(i) Rs. 10,00,000/- (Rupees Ten Lakhs Only) on or before 31.10.2026(Rs. 5,00,000/- to the account of Mr. Shakir Gangjee and Rs. 5,00,000/- to the account of Mr. Safdar Gangjee);

(ii) Rs. 10,00,000/- (Rupees Ten Lakhs Only) on or before 30.11.2026(Rs. 5,00,000/- to the account of Mr. Shakir Gangjee and Rs. 5,00,000/- to the account of Mr. Safdar Gangjee);

(iii) Rs. 10,00,000/- (Rupees Ten Lakhs Only) on or before 31.12.2026(Rs. 5,00,000/- to the account of Mr. Shakir Gangjee and Rs. 5,00,000/- to the account of Mr. Safdar Gangjee);

(iv) Rs. 30,00,000/- (Rupees Thirty Lakhs Only) on or before 31.01.2027(Rs. 15,00,000/- to the account of Mr. Shakir Gangjee and Rs. 15,00,000/- to the account of Mr. Safdar Gangjee);

(v) Rs. 30,00,000/- (Rupees Thirty Lakhs Only) on or before 28.02.2027(Rs. 15,00,000/- to the account of Mr. Shakir Gangjee and Rs. 15,00,000/- to the account of Mr. Safdar Gangjee);

(vi) Rs. 30,00,000/- (Rupees Thirty Lakhs Only) on or before 31.03.2027(Rs.

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15,00,000/- to the account of Mr. Shakir Gangjee and Rs. 15,00,000/- to the account of Mr. Safdar Gangjee);

(vii) Rs. 30,00,000/- (Rupees Thirty Lakhs Only) on or before 30.04.2027(Rs. 15,00,000/- to the account of Mr. Shakir Gangjee and Rs. 15,00,000/- to the account of Mr. Safdar Gangjee);

(viii) Rs. 30,00,000/- (Rupees Thirty Lakhs Only) on or before 31.05.2027(Rs. 15,00,000/- to the account of Mr. Shakir Gangjee and Rs. 15,00,000/- to the account of Mr. Safdar Gangjee);

(ix) Rs. 30,00,000/- (Rupees Thirty Lakhs Only) on or before 30.06.2027(Rs. 15,00,000/- to the account of Mr. Shakir Gangjee and Rs. 15,00,000/- to the account of Mr. Safdar Gangjee);

(x) Rs. 30,00,000/- (Rupees Thirty Lakhs Only) on or before 31.07.2027(Rs. 15,00,000/- to the account of Mr. Shakir Gangjee and Rs. 15,00,000/- to the account of Mr. Safdar Gangjee);

d) The aforesaid amounts would be credited by RTGS/ NEFT/ Online Transfer on or before the dates mentioned herein above in Para No.III(i) to (x) to the following respective accounts of the Respondent/ Complainant and his brother Safdar Gangjee:

BANK ACCOUNTS

*i) Shakir Gangjee
Bank: ICICI Bank Ltd
Branch:M.G. Road Branch Bangalore*

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*Savings BankAccount No.: 000201061255
IFSC Code: ICIC0000002*

*ii) Safdar Gangjee
Bank:HDFC Bank Ltd
Branch:IT Park, Whitefield Road, Bangalore
Savings BankAccount No.: 00771140004210
IFSC Code:HDFC0000077*

e) The Petitioner/Accused and his entities have agreed, accepted and undertaken that the dates mentioned hereinabove for each payment are sacrosanct and form the essence of this settlement/memorandum of settlement and that there shall be no extension of time sought nor granted for any of the payments under any circumstances whatsoever.

f) In the event of default of payment as detailed hereinabove the respondent/complainant and his brother Mr. Safdar Gangjee, are at liberty to take appropriate steps as contemplated under law in respect of all the cases, including criminal contempt proceedings, which the petitioner agrees and undertakes to this Hon'ble Court.

g) Further, the Petitioner/ Accused and his entities have also agreed and undertaken to be liable to the Respondent/ Complainant and his brother Mr. Safdar Gangjee an additional amount of Rs. 30,00,000/- (Rupees Thirty Lakhs Only) which is additional compensation in addition to the settlement amount of Rs. 2,40,00,000/-."

4. On perusal of the settlement between parties, it is noticed that the settlement is voluntary and lawful one.

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Hence, the memorandum of settlement held between parties in Crl.R.P Nos.400/2026 and 401/2026 is accepted.

Both revision petitions are ***disposed of*** in terms of the memorandum of settlement.

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(GEETHA K.B.)
JUDGE

rs
List No.: 1 Sl No.: 30