

IN THE COURT OF CIVIL JUDGE AND JMFC.,HOSKOTE.

CC.No-1504-2018

PW.1

CW. 1

Name : Muniraju  
Father name : Late Venkateshappa  
Age : 35 years.  
Occupation : Business  
Residence : Appasandra

Oath has been duly administered to the witness on this 6<sup>th</sup> April 2024.

**Chief-examination by Learned A.P.P. :- .**

I know C.W.2 and 3 and accused. Since long time we have been using the dunghill which is situated towards the Malur road. On 31.10.2015 at about 6.30 p.m when I was returning home from job I saw that accused were dumping the soil in the said dunghill. When I enquired them accused scolded me in filthy language and assaulted with hand and kicked me and pushed me into dunghill. Further accused have oppressed me and threatened me by saying that if I use that dunghill they would kill me and cremate me in the dunghill. At that time C.W.2 and 3 came to the spot and pacified the quarrel, thereafter I went to the police station and lodged information. Witness identified his signature on First information and panchanama, First information is marked as Ex.p.1, Signature of the witness is marked as Ex.p. 1(a). On next day police came to the spot and conducted panchanama which is shown to me now. It is marked as Ex.p.2. Signature of the witness is marked as Ex.p. 2(a).

**Cross examination by Sri R N advocate for accused.:**

At that time I was working at Ujjevan Small Finance Bank , Hoskote. I used to leave home at 9.30 a.m. and come back at 6.30 to 7 p.m. sometimes I used to come at 8.30 to 9 p.m. On that day nobody called me over the phone regarding the incident, I saw the accused when I was going back to home.

I do not know since when the accused were working there. Since I had gone to work I could not know since how along the accused were working. Till I went there it was not known to my family members. Accused no.1 scolded me in filthy language , Accused no.3 and 4 assaulted me with hand. Accused no.2 was also supporting them. I have narrated the same thing in my first information. On that day I left my office at about 5.45 p.m to 6 p.m.

It is true to suggest that it may take 10 to 15 minutes to reach Appasandra from Hoskote. The incident happened from 6.30 to 7.15 p.m . At about 7-8 persons were present at the time of incident in the spot. They are Munikrishna , Venkatesh, Chinnappaiah, Manjunath , Narayanaswamy. They are all my villagers. It is true to suggest that the said road is public road, and number of people move around there. It is false to suggest that within a span of 45 minutes at about 50-60 person may gather if quarrel goes on such public road. I do not know the number of JCB and tractor brought by the accused.

We have got documents in the name of our family members in respect of that dunghill. I have not submitted those documents to the police. I had no any impediment to produce the documents to the police witness further voluntaries that the said document was standing in the his grand father hence he could not. It is true to suggest that accused are also belonged to our family lienage. We

have no documents to show that the said dunghill was fallen to our share. I came directly to the station after incident. I reached the station at 7.20 p.m. I alone came to the station after some time my elder sister came. I myself had written the information. It is false to suggest that police would not register FIR immediately.

When I came to the station sub inspector Raju was present in the station. I do not know timing of the panchanama. Witness further states that police had come after 9 a.m on next day. Police have conducted panchanama for about 40 minutes. Two police men had come to conduct panchanama. I do not remember their name. At the time of panchanama two police men other two public person and myself were present. Santhosh , Lokesh were also present there. It is true to suggest that apart from the above said persons no body was there. Police had enquired me about the incident about which happened on previous date and I narrated. Police explained the panchanama by reading it over to me. Lokesh and Santhosh have signed the panchanama. Nothing was seized at the time of panchanama.

It is false to suggest that accused were not present in the spot and no incident has taken place. It is false to suggest that the said dunghill is not standing in our name in order to harass the accused I have lodged false information.

No re-examination

R.O.& F.O. C.,

Prl., Civil Judge and JMFC.,  
Hoskote.

