

**IN THE COURT OF THE I ADDL. SESSIONS & SPL.
JUDGE AT CHIKKAMAGALURU.**

S.C. No.153/2021

Complainant: State by Mallanduru Police

Versus

Accused: H.B.Kiran and 2 others

CHARGE

I, B.Pushpanjali, B.A., LL.M., 1st Addl. Dist. & Sessions Judge, Chikkamagaluru, do hereby charge you:

1. H.B.Kiran, S/O.Basavaraj, Aged 32 years, Merchant, House No.55, 8th cross, SRR Mens PG Service Apartment, Mylasandra, Kengeri, Bangalore, Now R/a Hedadalu Mane Home Stay, Kotevooru, Chikkamagalur Taluk.
2. M.S.Lohith, S/O.Late Sadashivagowda, Aged 36 years, Merchant, R/a Hemmakki village, Kalasa Hobli, Chikkamagalur District.
3. Nagesh K.B., S/O.Late Byregowda, Aged 65 years, Agriculturist, R/a Katrumane village, Jakkanahalli post, Vastare Hobli, Chikkamagalur Taluk.

as follows:

That during 2019 you accused No.1 had agreed to purchase the land belonging to the father of CW.1 and advanced an amount of Rs.10,000/- and later since you did not like the land, refused to buy the same and asked with CW.1 to return the advance amount of Rs.10,000/- and CW.1 was dodging the

matter. In this regard, there was a resentment between CW.1 and you accused No.1 and on 3.6.2021 at about 6.00 PM when galata was going on between you accused No.1, CW.14 and CW.18, CW.1 intervened to separate the scuffle, then you accused No.1 picked up quarrel with CW.1, abused him with regard to the non-return of advance amount and gave provocation to him to break the public peace and that you thereby have committed an offence punishable under section 504 of IPC and within cognizance of this court.

Secondly, on 4.6.2021 at about 11.30 PM you accused No.1 came near the house of CW.1 Chethan at Hedadal village, Vastare Hobli, Chikkamagalur taluk, within the jurisdiction of Mallandur police station, by holding one SBML gun belonging to you accused No.3, uttered in front of the house of Cw.1 Chethan so as to make him to come out of the house, with an intention to commit murder of CW.1 and fired the gun at the front door and front wall of the house of CW.1, with such intention and under such circumstances that if by that act you had caused the death of CW.1, you would be guilty of murder and thereby

committed the offence punishable under section 307 of I.P.C., and within the cognizance of this Court.

Thirdly, on the aforesaid date, time and place, you accused No.1 fired the said gun at the Maruthi car bearing No.KA:05:MF:0764 from backside, which was parked in front of the house of CW.1 and also fired the gun at the front door and front wall of the house of CW.1 and caused loss to a tune of Rs.13,000/- and committed mischief and that you thereby committed an offence punishable under section 427 of IPC and within the cognizance of this court.

Fourthly, on the aforesaid date, time and place you accused No.1 possessed and carried fire-arm SBML Gun without licence or permit, in contravention of section 3 of the Indian Arms Act with intent to use the same for unlawful purpose and thereby you the accused committed the offence punishable under section 25 of Indian Arms Act and within my cognizance.

Fifthly, on the aforesaid date, time and place you accused No.3 had handed over the SBML gun possessed by you to accused No.1, in contravention of the gun licence issued to you

and that you thereby committed an offence punishable under section 30 of Indian Ams Act and within the cognizance of this court.

Sixthly, on the aforesaid date, time and place, you accused No.2 after the commission of offences under sections 504, 307 and 427 by you accused No.1 against CW.1, harbored you accused No.1 in the Ronald Duster car bearing registration No.KA:18:P:5926 , belonging to CW.17 from Indavara to Hemmakki and later you accused No.2 took you accused No.1 in Innova car bearing registration No.KA:51:Z:8370, belonging to CW.16 from Hemmakki to Kammaradi and harbored you accused No.1 with an intention of screen them from legal punishment thereby you accused No.2 committed an offence punishable under section 212 of Indian Penal Code and within the cognizance of this Court.

And I hereby direct that you be tried by this court on the said charges.

Dated this the 20th day of September 2022.

*Sd/-
(B.Pushpanjali),
1st Addl. Sessions & Spl. Judge,
Chikkamagaluru.*

