



**IN THE COURT OF THE I ADDL. CIVIL JUDGE & JMFC.,
MUDIGERE**

PRESENT: Smt. Suraksha K.K. B.B.M.,LL.B.
I Addl. Civil Judge & JMFC.,
Mudigere.

DATED THIS THE 07th DAY OF JULY 2026

CRIMINAL CASE NO:565/2022

BETWEEN :

The State, represented by
Kuduremukha Police Station,
Kalasa Taluk.

...Complainant
(By Learned APP)

AND :

Avinash,
Aged about 32 years,
S/o Lokesh Gowda,
R/o Hakkalumane, Megaramakki,
Aduvalli Village,
N.R.Pura Taluk.

... Accused

(By Sri. Santhosh B.A, Adv.,)

1	Date of occurrence of offence	07.03.2021
2	Date of report of offence	24.11.2021
3	Name of complainant	Lakshmi MR



4	Date of commencement of evidence	02.12.2024
5	Date of closure of evidence	02.06.2026
6	Offences complained of	Under Sections 498-A, 504 and 506 of IPC and Section 3 and 4 of Dowry Prohibition Act
7	Opinion of the Judge	Accused found not guilty

(Suraksah K.K.)

I Addl. Civil Judge & JMFC.,
Mudigere.

JUDGMENT

The CPI of Kuduremukha Police station has filed the charge sheet against the accused for the offences punishable U/s. 498-A, 504 and 506 of IPC and Section 3 and 4 of Dowry Prohibition Act.

2. The brief facts of the prosecution case is as under:

It is the case of the prosecution that, on 28.04.2019 the CW1 got married to accused in the presence of the elders. During their marriage the accused person has obtained 10 grams of gold and 10 lakhs of hard cash as dowry. After some time, the accused started to harass the Cw.1 mentally and physically.



During 2020, the CW1 has sent to the parental home for delivery of the first child, since the CW1 has delivered girl baby, the accused person has started to harass CW1 and when the CW1 return back to the matrimonial house, the accused person sent back the CW1 in order to get extra dowry. After the advice of the parents of the CW1 and the family members, the CW1 return back to the house of the accused person. But, on 15.02.2021 the accused person by grabbing the gold ornaments from the CW1, ousted the CW1 from the matrimonial house. Then on 07.03.2021 around 4.00 PM when the CW1 was in her home the accused person came and abuse the CW1 in the filthy language and also posed a life threat and warned the CW1 to return the matrimonial house, only if she brings extra dowry. Then on 09.11.2021 the accused person has issued notice seeking divorce then the CW1 has filed the present complaint. Thereby, the accused has committed the offences punishable under Sections 498-A, 504 and 506 of IPC and Section 3 and 4 of Dowry Prohibition Act and on the basis of information given by CW1 the P.S.I Kuduremukha has lodged F.I.R against the accused.

3. after submission of charge sheet this Court took cognizance for the offences punishable under Sections 498-A,



504 and 506 of IPC and Section 3 and 4 of Dowry Prohibition Act and register the criminal case and issued summons to the accused.

4. In response to the summons, accused has appeared before this Court through his advocate and got enlarged on bail. The copies of prosecution papers were furnished to the accused as per under Section 207 of Cr.P.C,. Heard before charge. No grounds have made out to discharge the accused before framing of charge. Charges were framed, recorded, read over and explained to the accused in language best known to him for the offences punishable under Sections 498-A, 504 and 506 of IPC and Section 3 and 4 of Dowry Prohibition Act for which accused has pleaded not guilty and claimed to be tried.

5. In order to prove the guilt of the accused beyond all reasonable doubt the prosecution has got examined 2 witnesses as PW1 and PW2 and got marked Ex.P1 to Ex.P10. This Court has examined the accused under section 313 of Cr.P.C. the accused denied the incriminating evidence appearing against him and has not leaded any defence evidence.

6. Heard the arguments on both the side and perused the materials on record.



7. The following points would arise for the determination of the court.

- 1.** Whether the prosecution proved beyond all reasonable doubt that on 28.04.2019 the CW1 got married to accused in the presence of the elders. During their marriage the accused person has obtained 10 grams of gold and 10 lakhs of hard cash as dowry. After some time, the accused started to harass mentally and physically to CW1. During 2020, the CW1 has sent to the parental home for delivery of the first child, since the CW1 has delivered girl baby, the accused person has started to harass CW1 mentally and physically and thereby committed an offence punishable under section 498-A of IPC?
- 2.** Whether the prosecution proved beyond all reasonable doubt that on the above 07.03.2021 around 4.00 PM when the CW1 was in her home the accused person came and abuse the CW1 in the filthy language and thereby committed the offence punishable under section 504 of IPC?



3. Whether the prosecution proved beyond all reasonable doubt that on the above said date, and place, the accused person posed a life threat to the CW1 and thereby committed the offence punishable under section 506 of IPC?
4. Whether the prosecution proved beyond all reasonable doubt that on the above said date, and place, since the CW1 delivered girl baby, the accused person harass the CW1 and demanded the CW1, 6 and 7 extra dowry and thereby committed the offence punishable under section 3 and 4 of Dowry Prohibition Act?
5. What sentence or order?
8. The answers to the above said points are as follows:

Point No.1: In the negative.

Point No.2: In the negative.

Point No.3: In the negative.

Point No.4: In the negative.

Point No.5: As per the final order
for the following:



REASONS

9. Points No.1 to 4 : These points require common appreciation of materials on record. Thus, to avoid repetition of facts and appreciation, the same are taken for common discussion.

In order to prove the guilt of the accused, prosecution has examined CW1 complainant as PW1. During her further cross examination the PW1 turned hostile to the entire case of the prosecution. The prosecution treated her as Hostile witness and re-examined. During her re-examination, nothing has been elicited from the mouth of PW1 in support of prosecution case.

10. The CW2 examined as PW.2 who is mahazar witness deposed that with respect to the quarrel between the CW1 and accused he affixed his signature on Ex.P3. During cross examination nothing has been elicited in support of prosecution case.

11. It is the case of the prosecution that, on 28.04.2019 the CW1 got married to accused in the presence of the elders. During their marriage the accused person has obtained 10 grams of gold and 10 lakhs of hard cash as dowry. After some time, the accused started to harass the Cw.1 mentally and physically. During 2020, the CW1 has sent to the parental home for delivery



of the first child, since the CW1 has delivered girl baby, the accused person has started to harass CW1 and when the CW1 return back to the matrimonial house, the accused person sent back the CW1 in order to get extra dowry. After the advice of the parents of the CW1 and the family members, the CW1 return back to the house of the accused person. But, on 15.02.2021 the accused person by grabbing the gold ornaments from the CW1, ousted the CW1 from the matrimonial house. Then on 07.03.2021 around 4.00 PM when the CW1 was in her home the accused person came and abuse the CW1 in the filthy language and also posed a life threat and warned the CW1 to return the matrimonial house, only if she brings extra dowry. Then on 09.11.2021 the accused person has issued notice seeking divorce then the CW1 has filed the present complaint.

12. Here, in the present case the CW1 who is the complainant and the victim in the present case turned hostile to the entire case of the prosecution and there is no supportive witness or materials on record in order to prove the alleged offences against the accused person. Hence there is no materials placed on record in order to prove the prosecution case. By considering all these and by giving benefit of doubt in favor of accused this court has answered points No.1 to 4 in **Negative**.



13. Point No.5: On the basis of above discussion on Point No1 to 4 this court proceed to pass the following:

ORDER

Accused is hereby acquitted for the offences punishable under Sections 498-A, 504 and 506 of IPC and Section 3 and 4 of Dowry Prohibition Act.

Bail bonds stand cancelled.

Bonds executed in compliance of Section 437(A) of Cr.P.C., shall be in force for a period of 6 months from the date of judgment.

The properties seized in PF No.19/2021, the interim custody of the golden ornaments are made absolute.

*(Dictated to the Stenographer, typed by him on computer, corrected and then pronounced by me in the open court on this the **07th Day of JULY 2026 at Mudigere.**)*

(Suraksah K.K.)
I Addl. Civil Judge & JMFC.,
Mudigere.

**ANNEXURE****LIST OF WITNESSES EXAMINED ON BEHALF OF THE PROSECUTION:-**

PW.1 : Lakshmi
PW.2 : Sudhakar

LIST OF DOCUMENTS MARKED ON BEHALF OF THE PROSECUTION:-

Ex.P1 : Complaint
Ex.P1(a) : Signature of PW1
Ex.P2 : FIR
Ex.P2(a) : Signature of PW1
Ex.P3 : Spot Mahazar
Ex.P3(a) : Signature of PW1
Ex.P3(b) : Signature of PW2
Ex.P4 & 5 : Photographs
Ex.P6 : Marriage invitation card
Ex.P7 : Spot Mahazar
Ex.P7(a) : Signature of PW1
Ex.P8 : Photographs
Ex.P9 : Compact Disc
Ex.P10 : 65(B) Certificate

LIST OF MATERIAL OBJECTS MARKED ON BEHALF OF THE PROSECUTION:-

-----Nil-----



**LIST OF WITNESSES EXAMINED ON BEHALF OF THE
ACCUSED :-**

-----Nil-----

**LIST OF DOCUMENTS MARKED ON BEHALF OF THE
ACCUSED :-**

-----Nil-----

(Suraksah K.K.)
I Addl. Civil Judge & JMFC.,
Mudigere.

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