

IN THE COURT OF II ADDL. DISTRICT AND SESSIONS
(SPECIAL) JUDGE MANGALURU, D.K.

Special Case: 143/2022

PW: 8 (CW: 8)

Witness present and Duly Sworn on: 28.04.2026

Deposition of	:	Harish
Father/Husband Name	:	Nagaraj
Age	:	42 years
Occupation	:	Tiles work
Resident Of	:	Cheliyaru Padavu.

Examination in Chief by Public Prosecutor :-

1. I know PW.1 to 5. CW.6, 7, 9 and 10. I know deceased Dinesh. I know accused Krishna @ Kitta.

2. I used to visit shop of PW.1 to have tea. On 23.02.2022, I went to shop of PW.1 to have tea and made an enquiry about her son Dinesh, in-turn she told Dinesh was sleeping in the house complaining stomach pain. I went along with PW.1 to her house. Dinesh was in the house. I enquired with Dinesh. He told in the morning Kitta gave fist blow. I and PW.2 took Dinesh to Dhanvanthri Clinic. The doctor gave gastric and pain tablet. The doctor also advised to get scan of stomach in the morning.

3. On the next day around 5.00-5.30 p.m, PW.1 called me and told Dinesh and PW.2 went to hospital in the morning, after checkup and treatment Dinesh was taken to SDM Hospital, in SDM Hospital doctors asked to take Dinesh to Mangaluru hospital. PW.1 gave cloths to me and sent me to SDM Hospital. I, Rajneesh and Suresh went to SDM Hospital, by that time ambulance was about to move. Kitta also came to SDM Hospital and sat in the front seat of the ambulance. Ambulance left hospital. I, CW.9 and 10 went in our car following ambulance. Ambulance went to KMC hospital, a discussion was held with respect to amount, then Kitta told he had spoken to MLA Harish Poonja and took us to Wenlock Hospital. Kitta took Dinesh inside hospital, we were outside the hospital. Around 11.30 p.m, we requested and sent PW.2 inside hospital. Around 2.00 a.m, Kitta came out of the hospital. CW.9 went inside hospital and came out around 2.50 a.m, and told Dinesh died, then I and Rajneesh CW.9 went inside, Kitta did not come inside the hospital. When we came out of the hospital Kitta was not present. When we asked the doctors to handover dead body, they told complaint has to be registered. PW.2 called PW.1 and gave above details. PW.1 went to police station, lodged complaint, then police came to hospital in the afternoon. The police commenced Inquest mahazar around 2.00-2.30 p.m. and completed around 5.00-5.30 p.m. I saw mark on stomach, abrasion over back shoulder while conducting Inquest. I now see Inquest

Mahazar, it bears my signature. The same are marked as Ex.P19 and 19(a).

4. I came to know on 23.02.2022, at 11.00 a.m, when Dinesh went to shop of Kitta and expressed Kitta cannot do any work through Harish Poonja the present MLA though Dinesh had done some documentary work pertaining to land through the then MLA Vasanth Bangera, enraged with the same Kitta assaulted Dinesh.

Cross-examination by Sri. BJK Advocate for Accused:-

5. I am doing tiles contract work since 20 years. I studied upto 1st PUC. I have knowledge if any quarrel incident took place, a complaint has to be lodged. I had no impediment to lodge complaint when Dinesh told Kitta assaulted him. It is false to suggest that if Dinesh had told me that Kitta assaulted him, I would have given suggestion to him to lodge complaint. It is false to suggest that Dinesh did not tell anything to me, hence I did not advise him to lodge complaint. When I saw Dinesh in the evening on 23.02.2022, he was not under the influence of alcohol. I do not know in the morning if he had consumed alcohol. Dinesh explained me in Tulu language. I had no impediment to explain the same in Tulu language as stated by Dinesh to the police. It is false to suggest that since Dinesh did not tell anything, I have not explained the same to

police.

6. The police have not issued notice to me for conducting Inquest mahazar. Witness states since he was present there, the police did not issue notice to him. The police prepared Inquest mahazar in writing.

7. I know PW.2 since 10 years. PW.1 and 2 and their family are in cordial relationship with us. Nearby house of Dinesh, there are complexes and commercial buildings. In the said buildings CC cameras are installed. In the cameras it must have been recorded visit by me to the house of PW.1 and 2. It is false to suggest that on 23.02.2022, I did not go to house of Dinesh and Dinesh did not inform about the incident. It is false to suggest that first time I am deposing I went to SDM hospital, from there we went to Wenlock hospital along with ambulance in our car. It is false to suggest that first time I am deposing before the Court Kitta was in SDM Hospital and proceeded in the ambulance to Wenlock Hospital. It is false to suggest that first time I am deposing before the Court that when Krishna took Dinesh and us from KMC hospital to Wenlock hospital stating that he had spoken with Harish Poonja. It is false to suggest that Krishna did not come to SDM Hospital, KMC Hospital and Wenlock Hospital.

8. It is false to suggest that since PW.2 is close to me, to

help her, I am deposing false. I am not supporting any particular party. It is false to suggest that whatever stated by me in chief examination is false.

Re-examination: Nil.

(Computerized to my dictation in the open court)

ROI & AC

II Addl District and Sessions Judge,
Mangaluru, D.K.