

**IN THE COURT OF THE II ADDL. CIVIL JUDGE AND J.M.F.C., AT
DODDABALLAPURA**

**PRESENT: RAVI BETAGAR B.A. LL.B.,(Hons.,)
II Addl. Civil Judge & J.M.F.C.
Doddaballapura.**

Dated : This the 23rd day of July, 2026

C.C.No.2006/2020

**Complainant: State by Doddaballapura Town Police.
(Rep., by APP)**

V/s

- Accused/s:**
- 1. Anand,**
S/o Gangadharappa,
Aged about 32 years,
 - 2. Chandra,**
S/o Gangadharappa,
Aged about 30 years,
 - 3. Murthy (Dead)**
S/o Gangadharappa,
Aged about 35 years,
 - 4. Ravi,**
S/o Gangadharappa,
Aged about 34 years,
 - 5. Muninarasamma,**
W/o Gangadharappa,
Aged about 55 years,

**All are R/at: Siddenayakanahalli,
Doddaballapura Town,
Bengaluru Rural District.**

(Rep. by Sri.R.M., Adv.,)

Date of filing of first information	01.07.2020
Date of appearance of accused	17.03.2022

Accused in judicial custody/Bail	On Bail
Date of commencement of evidence	18.05.2026
Nature of offences charged: U	U/sec.143, 147, 324, 504, 323, 354, 506 r/w sec. 149 of IPC
Opinion of the Judge	Accused persons are Acquitted
Date of pronouncement of Judgment	23.07.2026
Total Duration	Years Months Days 06 00 22

Sd/-
(Ravi Betagar)
II Addl.Civil Judge and J.M.F.C.
Doddaballapura.

J U D G M E N T

The PSI of the Doddaballapura town police station has filed the charge sheet against the accused persons for offence punishable U/sec.143, 147, 324, 504, 354, 323, 506 r/w sec. 149 of IPC.

2. The case of the prosecution in brief is as follows:

It is the case of the prosecution that, on 29.06.2020 at about 04.30 p.m. within the limits of Doddaballapura Town Police Station, at Siddenayakanahalli, at the CW1's house, the cw1 pledged her earring with the accused no.4's wife and obtained loan. The CW1 went to repay the loan and get her earring back from the said persona at that time, the accused persons used to pick up quarrel with CW1. In this regard the CW1

and the accused person entered into quarrel on 28.06.2020 and accused persons threw stones to the cw1's house. In this regard the cw1 went to the police station on 29.06.2020 and tried to lodge complaint against the accused persons. At that time the police advised the cw1 and accused persons to not to pick up quarrel over such simple things. On the same day at about 5.30pm the accused persons in prosecution of their common object formed an unlawful assembly and armed with knife and picked up fight with the cw1. Out of the accused person the accused no.3 held the collar of the nighty worn by the cw1 and lifted her up. The accused no.5 held the cw1's hair and dragged her. Further, they abused her in filthy language and accused no.5 hit the CW1 on her chest using his hands and accused no.1 to 4 hit the cw1 on her body using their hand and feet and caused simple injury to her. The accused no.1 hit the cw1 using knife on her hand and caused simple bleeding injuries to her. Further, all the accused persons threatened to kill her. As such, the accused persons are said to have committed offense punishable U/sec.143, 147, 324, 354, 504, 323, 506 r/w sec. 149 of IPC.

3. In the present case, the CW1 lodged the first information before the jurisdictional police on 01.07.2020. After receiving the said information the police registered FIR in Crime No.64/2020 and proceeded to conduct the investigation. After the completion of the investigation the charge sheet was filed.

4. Based on the charge sheet furnished by the police and this court after perusal of the same took cognizance for the offence punishable U/sec.143, 147, 324, 504, 354, 323, 506 r/w sec. 149 of IPC and issued summons to the accused persons. The accused persons appeared along with their counsels. The prosecution's papers were furnished to the accused persons in compliance with Section 207 of Cr.P.C. During the course of proceeding accused no.3 is reported to be dead, as such the proceeding against accused no.3 were abated as per order dated: 03.07.2025. The court

heard before the charges and as there were sufficient materials to proceed against the accused persons, charges were framed, read over and explained to the accused persons in the language known to them. They pleaded not guilty and claimed to be tried.

5. In order to prove their case, the prosecution has examined total 1 witnesses as P.W-1 and got marked total 3 documents as Ex.P-1 to 3. The injured victim as well as the complainant turned hostile to the prosecution case. The remaining witnesses were dropped, as no purpose would be served by examining them. As there were no incriminating circumstances appearing in the prosecutions case against the accused persons. As such, recording of statement as per sec.313 of Cr.P.C, is dispensed with. Accused persons choose not to lead defence evidence on their behalf.

6. The Learned APP and the counsel for the accused were heard. Perused the records. The following points arise for the consideration of this Court.

POINTS FOR CONSIDERATION

1. Whether the prosecution proves beyond all reasonable doubt that, on 29.06.2020 at about 04.30 p.m. within the limits of Doddaballapura Town Police Station, at Siddenayakanahalli, at the CW1's house, the cw1 pledged her earring with the accused no.4's wife and obtained loan. The CW1 went to repay the loan and get her earring back from the said persona at that time, the accused persons used to pick up quarrel with CW1. In this regard the CW1 and the accused person entered into quarrel on 28.06.2020 and accused persons threw stones to the cw1's house. In this regard the cw1 went to the police station on 29.06.2020 and tried to lodged complaint against the accused persons. At that time the police advised the cw1 and accused persons to not to pick up quarrel over such

simple things. On the same day at about 5.30pm the accused persons in prosecution of their common object their formed and unlawful assembly and picked up fight with the cw1. As such, committed offence punishable **u/Sec.143 R/w Sec 149 of IPC?**

2. Whether the prosecution further proves beyond all reasonable doubt that, on the aforementioned date, time and place, the accused persons in prosecution of their common object, they formed unlawful assembly armed with deadly weapon, and there by committed offenses punishable **U/Se.147 R/w 149 of I.P.C?**
3. Whether the prosecution further proves beyond all reasonable doubt that, on the aforementioned date, time and place, the accused persons in prosecution of their common object, Out of the accused person the accused no.3 held the collar of the nighty worn by the cw1 and lifted her up. The accused no.5 held the cw1's hair and dragged her and thereby outraged the modest of CW1. As such, accused persons committed offence punishable **u/s.354 R/w 149 of IPC?**
4. Whether the prosecution further proves beyond all reasonable doubt that, on the aforementioned date, time and place, the accused persons in prosecution of their common object, the accused persons abused the CW1 in filthy language As such, accused persons committed offence punishable **u/s.504 R/w 149 of IPC?**
5. Whether the prosecution further proves beyond all reasonable doubt that, on the aforementioned date, time and place, the accused persons in prosecution of their common object, the

accused persons threatened to kill the CW1 As such, accused persons committed offence punishable **u/s.506 R/w 149 of IPC?**

6. Whether the prosecution further proves beyond all reasonable doubt that, on the aforementioned date, time and place, the accused persons in prosecution of their common object, accused no.5 hit the CW1 on her chest using his hands and accused no.1 to 4 hit the cw1 on her body using their hand and feet and caused simple injury to the her. As such, accused persons committed offence punishable **u/s.323 R/w 149 of IPC?**

7. Whether the prosecution further proves beyond all reasonable doubt that, on the aforementioned date, time and place, the accused persons in prosecution of their common object, The accused no.1 hit the cw1 using knife on her hand and caused simple bleeding injuries to her. As such, accused persons committed offence punishable **u/s.324 R/w 149 of IPC?**

8. What order?

7. The above points are answered as under:

Point No.1 to 7 : In the **Negative.**

Point No.8 : As per the final order
for the following :

REASONS

8. POINT No.1 to 7: As these points are inter connected with each other in order avoid repetition of facts evidence and reasoning they are taken up together for joint consideration.

9. In the present case, the injured victim as well as the complainant i.e., the CW1/PW1 had turned hostile to the prosecution case. She was cross examined by the learned APP with the court permission. But, nothing useful to the prosecution case was elicited, from her mouth. When the injured victim and the complainant herself had turned hostile to the prosecution case, at that time it cannot be held that, the prosecution has established the guilt of the accused persons beyond all the reasonable doubt. Hence, **point no.1 to 7 are answered in the negative.**

10. POINT No.8 In view of my findings on Point No.1 to 7, I proceed to pass the following:

ORDER

Exercising power under Section 248(1) of Cr.P.C.
The accused No. 1, 2, 4 & 5 are hereby acquitted for
offence punishable **U/sec.143, 147, 324, 504, 354, 323,**
506 r/w sec. 149 of IPC.

The bail bond and the surety bond of the accused
No. 1, 2, 4 & 5 are hereby stands cancelled.

The accused No. 1, 2, 4 & 5 are hereby directed to
execute bail bond and surety bond in compliance of
Section 437A of CrPC, which will be in force for a
period of 6 months.

(Dictated to the Stenographer directly on the computer, typed by him, corrected, initialed and then pronounced by me in open Court on this the **23rd day of July, 2026**)

Sd/-

(RAVI BETAGAR)
II Addl. Civil Judge & J.M.F.C.,
Doddaballapura

ANNEXURES**1. List of witnesses examined for the Prosecution:**

P.W.1 : Jyothi.

2. List of documents marked for the Prosecution:

Ex.P.1 : Complaint

Ex.P.2 : Spot Mahazar

Ex.P.3 : Statement of PW1.

3. List of witnesses examined for the Accused:

-NIL-

4. List of documents marked for the Accused:

-NIL-

5. List of material objects marked:

-NIL-

Sd/-

(Ravi Betagar)
II Addl.Civil Judge & JMFC,
Doddaballapura