

PRESENT:- SRI.RANGASWAMY J,
B.A.L., LL.M.,
 IV Addl. Sr.Civil Judge and JMFC
 Dharwad.

Dated this the 3rd day of September 2026.

C.C.No.1969/2023

Complainant : Dharwad Rural Police station

(By L/d. Senior APP)

(R/by Sri.R.P, Adv)

Date of offence	: 12.12.2022
Date of report of offence	: 14.12.2022
Name of the complainant	: Basavaraj S/o Ramappa Yemmetti
Offence complained of	: Section 324, 504, 506 of IPC.
Date of recording of evidence	: 21.07.2025
Date of closing of evidence	: 03.07.2026
Opinion of the Judge	: Accused found not guilty.

:-J U D G M E N T:-

On the basis of the charge sheet submitted by the Dharwad Rural Police, this case has been registered against the accused for the offences punishable **under Section 324, 504, 506 of IPC.**

2. The case of the prosecution is that, on 12.12.2022 around 1.30 pm in Halligeri village near on Vittal Devar temple, accused quarreled with complainant, abused him in filthy language and assaulted him by stone on his head, neck and threatened complainant with dire consequences of life.

3. Therefore, on the basis of the first information lodged by complainant/PW.8 namely **Basavaraj S/o Ramappa Yemmetti** the Dharwad Rural police have registered a case against accused and after investigation have filed charge sheet against him for the offences punishable **under Section 324, 504, 506 of IPC.**

4. After filing charge sheet, Court took cognizance of the offences against the accused and issued summons

to him. He appeared and got enlarged himself on bail. The copies of the prosecution papers were furnished to the accused as required **under Sec.207 of Cr.P.C.** Thereafter, substance of the accusation for offences punishable **under Section 324, 504, 506 of IPC** were came to be framed and read over and explained to accused. He pleaded not guilty and claimed to be tried and hence, the matter was posted for evidence of the prosecution.

5. In order to prove the guilt of the accused, the prosecution has examined **PW.1 to PW.8** and got marked **8** documents as **Ex.P1 to Ex.P8**.

6. The statement of accused as required under Section 313 of Cr.PC is recorded. The accused persons did not choose to lead evidence on his behalf.

7. Heard the arguments of learned APP and learned counsel for the accused.

8. Now the following points arise for my consideration:

1.	Whether the prosecution proves beyond all reasonable doubt that, on 12.12.2022 around 1.30 pm in Halligeri village on Vittal Devar temple, accused quarreled with complainant and abused him in filthy language and thereby committed an offence punishable under Section 504 of IPC ?
2.	Whether prosecution proves beyond all reasonable doubts that on the above said date, time and place, accused assaulted the complainant by stone on his head and neck, thereby accused has committed the offence punishable under Section 324 of IPC ?
3.	Whether prosecution proves beyond all reasonable doubts that on the above said date, time and place, accused has threatened complainant with dire consequence of life and thereby accused has committed the offence punishable under Section 506 of IPC ?
4.	What order ?

9. My answer to the above points are as follows:

Point No.1 to 3:	In the Negative.
Point No.4:	As per final order, for the following:

REASONS

10. **Point No.1 to 3:-** As these points are interlinked each other and involve common appreciation of evidence. Finding on point No.1 will have bearing on other points. Hence, to avoid repetition all these points are taken together for discussion.

11. In order to prove the case of the prosecution, prosecution has examined mahazar witness by name Irayya Hiremath as PW.1, he stated in his chief examination that, he signed the document as instructed by the police. PW.1 partly turned hostile, cross examined by Learned APP, nothing elicited.

12. PW.2 – Yallappa, PW.3 – Hanumanth, PW.4 – Abbasali, PW.6 – Mallikarjun PW.7 – Saraswati and PW.8 – Basavarj, they being eye witnesses and mahazar witnesses completely turned hostile to the prosecution case. Learned APP cross examined these witnesses, nothing elicited.

13. PW.5 - Chandralekha Jagannat states about receipt of complaint, registration of FIR, preparation of mahazar and submission of final report.

14. Since PW.8 being victim completely turned hostile and not supported the case of the prosecution. Other eye witnesses and mahazar witnesses also not supported the case of the prosecution. Therefore, prosecution failed to prove the guilt of the accused beyond all reasonable doubt. Hence, for the above stated reasons I answer **Point No.1 to 3 “in Negative”**.

15. **Point No.4**:- For the reasons stated while discussing point No.1 to 4, Court proceed to pass the following:-

ORDER

Acting U/s 248(1) of Cr.P.C the accused is acquitted for the offences punishable under Section 324, 504 and 506 of IPC.

The bail bonds and surety bonds of accused and his surety shall stands cancelled.

(Dictated to the stenographer directly on computer, corrected and then pronounced by me in the open court on 3rd day of September 2026)

(Rangaswamy J)
IV Addl.Sr.Civil Judge & JMFC.,
Dharwad.

A N N E X U R E

WITNESSES EXAMINED FOR COMPLAINANT: -

PW1: Irayya K.Hiremath.
PW2: Yallappa N.Valikar.
PW3: Hanumanth Shankrappa.
PW4: Abbasali Rasadulsab.
PW5: Chandrlekha Jagannath.
PW6: Mallikarjun Karabasappa.
PW7: Saraswati R.Yemmetti.
PW8: Basavaraj Ramappa.

DOCUMENTS MARKED FOR COMPLAINANT: -

Ex.P.1: Spot panchanana.
Ex.P.2 : Photo.
Ex.P.3 : Statement of PW.3.
Ex.P.4 : Complaint.
Ex.P.5 : FIR.
Ex.P.6 : Wound certificate.
Ex.P.7 : Statement of PW.6.
Ex.P.8 : Statement of PW.7.

WITNESSES EXAMINED FOR DEFENCE:-

N I L

DOCUMENTS MARKED FOR DEFENCE:-

N I L

MATERIAL OBJECTS MARKED FOR PROSECUTION :

MO.1:Stone.

(Rangaswamy J)

IV Addl.Sr.Civil Judge & JMFC.,
Dharwad.

For Judgment
03-09-2026

(Judgment pronounced in the open Court vide separate Judgment)

ORDER

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Dharwad.