



KAKB220028682025



**IN THE COURT OF THE ADDL. CIVIL JUDGE & JMFC,
AT : ALAND**

DATED :THIS THE 7TH DAY OF MARCH, 2026

PRESENT

**SMT. SUMAN CHITARGI, B.COM., L.L.M.,
C/C. ADDL.CIVIL JUDGE AND JMFC
ALAND**

CRIMINAL CASE No.2143/2025

Complainant:-

The State of Karnataka represented
by Narona Police Station.

(By A.P.P.)

v/s

ACCUSED:

1. Tejraya S/o. Baburao Bilagundi,
Age: 30 Years, Occ: Private Work,
R/o. Savalagi(k) village, Tq: Aland.
2. Baburao S/o. Shivaraya Bilgundi,
Age:62 Years, Occ: Agriculture, **(Abated)**
R/o. Savalagi(k) village, Tq: Aland.
3. Gangamma W/o. Baburao Bilgundi,
Age:60 Years, Occ: Household,
R/o. Savalagi(k) village, Tq: Aland.



4. Shivamma @ Sumangala W/o. Sharanabasappa Mote, Age:35 Years, Occ: Household, R/o. Belamagi village, Tq: Aland.
5. Sharanabasappa S/o. Shivaraya @ Kashiraya Mote, Age:45 Years, Occ: Agriculture, R/o. Belamagi village, Tq: Aland.
6. Mahananda @ Kaveri W/o. Nagenra @ Nagedrappa Mulge, Age:30 Years, Occ: Household, R/o. Bolani village, Tq: Aland.
7. Nagendra @ Nagendrappa S/o. Shivamudra Mulge, Age:35 Years, Occ: Coolie, R/o. Belamagi village, Tq: Aland.

**(A1 - by Sri.RMT., Advocate,
A3 to 7 – by Sri. P.V.A. Advocate & A2- Abated)**

Date of offence	25.10.2024
Date of report	30.10.2024
Date of arrest of accused	-----
Whether in custody	No
Complainant	Smt.Chennamma W/o Tejiraya.
Offences alleged	U/Secs.189(2), 191(2), 115(2), 85, 352, 351(2) R/w Sec.190 of BNS.
Evidence commenced on	24.02.2026
Evidence closed on	06.06.2026
Judgment pronounced on	07.03.2026
Opinion of Presiding Officer	Accused No.1 & 3 to 7 were found not to be guilty.



State by	APP
Accused by	A1 - by Sri.RMT., Advocate, A3 to 7 - by Sri. P.V.A. Advocate & A2- Abated

**C/C. ADDL.CIVIL JUDGE& JMFC
ALAND**

J U D G M E N T

The SHO of Narona Police Station has filed charge sheet against the accused No.1 to 7 for the offences punishable U/Secs.189(2), 191(2), 115(2), 85, 352, 351(2) R/w Sec.190 of BNS.

2. Brief facts of the prosecution case are as under:-

It is the allegation of the prosecution that the accused No.1 got married with the CW1 on 21.05.2019 at Savalagi (K) village in the Mahadev Temple and the accused No.2 to 7 being the in laws used to looked-after her in a good manner up-to one year, thereafter subjected her to cruelty by way of giving physical torture by way of assault and mental agony by way of abusing in filthy words and the accused No.1 used to return to the abode in a drunken condition and used to cause burnt injury with the cigarette. It is further alleged that on 25.10.2024 at about 9:30 P.M. at Savalagi village, which comes within the jurisdiction of Narona Police Station, when the CW1 was in her house at that time, all accused persons



formed themselves into an unlawful assembly assembled together with an intention to commit certain offences and thereby committed an act of rioting picked up quarrel with the informant and voluntarily caused injury by assaulting with hands on back and by way of slapping by the accused No.2 and 3 and also intentionally insulted her by abusing in filthy words such as “ ರಂಡಿ ಬೋಸಡಿ” provoked her intending that such provocation would cause her to break the public peace and threatened her with dire consequence so as to cause alarm in her mind by committing an act of criminal intimidation and driven her out from their house. Hence she by discussing about the incident as approached to the Narona PS on 30.10.2024 at about 15.00 hours filed her complaint. On the strength of it SHO of Narona P.S. has registered the case in their PS Crime No.171/2024 for the offences U/Secs.189(2), 191(2), 115(2), 85, 352, 351(2) R/w Sec.190 of BNS and investigated the case. On conclusion of investigation submitted charge sheet against the accused persons for the above said offences.

3. Thereafter cognizance for the said offences was taken against the accused persons and summons were issued. On service of summons, as the accused No.1 and 3 to 7 have appeared before the court through their counsel and got enlarged on bail. The accused No.2 is reported to be as dead. Hence, case against him stands abated as per order dated: 20.09.2025.



4. Prosecution papers were furnished to the accused persons in compliance of Section 230 of BNSS.

5. Heard Learned APP and Learned counsel for accused No.1 and 3 to 7. As there were sufficient material against the accused No.1 and 3 to 7 and charge was framed against them and same was read over and explained to them in the language known to them, they have pleaded not guilty and claimed to be tried. Hence prosecution machinery set in motion.

6. In order to bring home the guilt of the accused No.1 and 3 to 7, the prosecution has got examined the complainant as PW-1 and her mother as PW2 and got marked 02-documents as Ex.P1 and Ex.P2 with sub-markings and closed its side. As there are no incriminating circumstances appearing against the accused persons, the statement as required U/s 351 of BNSS was dispensed with.

7. Heard learned APP for State and learned counsel for accused.

8. Upon hearing the arguments and on perusal of materials placed on record, following points arise for my consideration.

1. Whether the prosecution proves beyond all reasonable doubt that, the accused No.1 got married with the CW1 on 21.05.2019 at Savalagi (K) village in the Mahadev



Temple and accused No.3 to 7 and deceased accused No.2 are being the in laws of informant used to looked-after her in a good manner up-to one year, thereafter subjected her to cruelty by way of giving her physical torture by way of assault and mental agony by way of abusing in filthy words and the accused No.1 used to return to the abode in a drunken condition and used to cause burnt injury with the cigarette and thereby have committed an offence punishable U/Sec.85 R/w Sec.190 of BNS?

2. Whether the prosecution proves beyond all reasonable doubt that, the accused No.1 and 3 to 7 alongwith deceased accused No.2 on 25.10.2024 at about 9:30 P.M. at Savalagi village, which comes within the jurisdiction of Naron Police Station, when the CW1 was in her house at that time, all accused persons formed themselves into an unlawful assembly assembled together with an intention to commit certain offences and thereby have committed an offence punishable



U/Sec.189(2) R/w Sec.190 of BNS?

3. Whether the prosecution proves beyond all reasonable doubt that, on the above said date, time and place, accused No.1 and 3 to 7 alongwith deceased accused No.2 in prosecution of their common object, all accused persons formed themselves into an unlawful assembly assembled together with an intention to commit certain offences and thereby committed an act of rioting and thereby have committed an offence punishable U/Sec.191(2) R/w Sec.190 of BNS?
4. Whether the prosecution proves beyond all reasonable doubt that, on the above said date, time and place, accused No.1 and 3 to 7 alongwith deceased accused No.2 in prosecution of their common object, all accused persons picked up quarrel with the informant and voluntarily caused injury by assaulting with hands on back and by way of slapping by accused No.2 and 3 and thereby have committed an offence punishable U/Sec.115(2) R/w Sec.190 of BNS?



5. Whether the prosecution proves beyond all reasonable doubt that, on the above said date, time and place, accused No.1 and 3 to 7 alongwith deceased accused No.2 in prosecution of their common object, all accused persons picked up quarrel with the informant and intentionally insulted her by abusing in filthy words such as “ ರಂಡಿ ಬೋಸಡಿ” provoked her intending that such provocation would cause her to break the public peace and thereby have committed an offence punishable U/Sec.352 R/w Sec.190 of BNS?
6. Whether the prosecution proves beyond all reasonable doubt that, on the above said date, time and place, accused No.1 and 3 to 7 alongwith deceased accused No.2 in prosecution of their common object, all accused persons picked up quarrel with the informant and threatened her with dire consequence so as to cause alarm in her mind by committing an act of criminal intimidation and thereby have committed an offence punishable U/Sec.351(2) R/w Sec.190 of



BNS?

7. What order?
9. My findings to the above points are as under.

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: In the negative.

Point No.6: In the negative.

Point No.7 : As per final order for the following:

REASONS

10. **POINTS NO.1 TO 6:-** These points are inter linked to each other, therefore in order to avoid repetition of facts and for the sake of convenience, I have taken up these points together for discussion.

The prosecution in order to prove the guilt of the accused has examined the C.W.1 by name Chennamma W/o Tejiraya as PW1 who is the injured as well as the complainant who has deposed before the Court with regard to relationship of accused persons with her so also with regard to charge sheet witnesses i.e. CW4 to 6. She further deposed she does not know about the present incident in question. She has further stated that accused persons are not assaulted, abused and also threatened the complainant. She does not have any information with regard to present case and she has not filed



any complaint before the police and on the say of police she signed on a document marked as Ex.P.1 and also identified his signature as Ex.P1(a) and also identified the photograph as Ex.P2. Hence, the learned APP cross-examined PW1, but nothing worth has been elicited from her mouth so as to prove the case of prosecution. The PW-1 denied the entire prosecution case in her cross-examination.

11. CW5-Mahanand W/o Dhulappa got examined as PW2. She too not supported case of prosecution and thereby turned hostile. During the course of cross-examination by treating her as hostile witnesses nothing has been elicited from her mouth so as to prove giving her statement before the police as per Ex.P3.

12. In the instant case the P.W.1 is the complainant and P.W.2 is the mother of the complainant. Both these witnesses have failed to support their own case. Hence, in view of hostile evidence of PW-1 and PW2 who are the main and material witnesses to the prosecution case, as such examination of other witnesses would be a futile exercise and no purpose would be served by examining other witnesses. Hence, rest of prosecution witnesses are dropped by rejecting the prayer of learned A.P.P. absolutely there is nothing on record to prove that the accused persons have beaten at any time to PW-1 and PW2 with hand or object or abused and threatened them and thereby committed offences punishable U/Secs.189(2), 191(2), 115(2), 85, 352, 351(2) R/w Sec.190 of



BNS.

13. It is pertinent to note that the complainant and the mother of the complainant themselves have denied the lodging of complaint against the accused persons and giving their statements. Then the evidence of the complainant loses its value and doubt arises with regard to commission of the alleged offences. When the complainant and mother of the complainant themselves have turned hostile to the case of prosecution, there is no material on record so as to convict the accused No.1 and 3 to 7. Thus, benefit of doubt clearly goes in favour of the accused No.1 and 3 to 7. **For the above discussion I answer point No.1 to 6 in the negative.**

14. **Point No.7:-** For the foregoing reasons, I proceed to pass the following.

ORDER

***Acting U/s.271(1) of BNSS-2023
the accused No.1 and 3 to 7 are hereby
acquitted for the offences punishable
U/Secs.189(2), 191(2), 115(2), 85, 352,
351(2) R/w Sec.190 of BNS.***

***The bail bonds and surety bonds
of the accused No.1 and 3 to 7 stands
canceled.***



The case against accused No.2

stands abated.

(Dictated to the stenographer directly on Computer, the same is edited, revised and corrected by me and then pronounced in the Open Court on this the 7th day of March, 2026)

(SUMAN CHITARGI)
C/C. ADDL.CIVIL JUDGE & JMFC
ALAND

ANNEXURES

Witnesses examined for the prosecution:-

PW.1 : Chennamma W/o Tejiraya.
PW2 : Mahanand W/o Dhulappa.

Ex.documents marked for the prosecution:-

Ex.P1 : Complaint.
Ex.P1(a) : Signature.
Ex.P2 : Photograph.
Ex.P3 : Statement of PW2.

Witness/Ex.documents marked for the accused:

-Nil-

Date: 07.03.2026.

(SUMAN CHITARGI)
C/C. ADDL.CIVIL JUDGE & JMFC
ALAND

Dictated on : 07.03.2026.

Checked on : 07.03.2026.

Signed on : 07.03.2026.

(SUMAN CHITARGI)
C/C. ADDL.CIVIL JUDGE & JMFC
ALAND