



KAKB220033392025



IN THE COURT OF THE PRL. CIVIL JUDGE & JMFC
AT:ALAND

DATED: THIS THE 6TH DAY OF MARCH, 2026

PRESENT

SMT.SUMAN CHITARGI, B.Com., L.L.M.,
PRL.CIVIL JUDGE AND JMFC
ALAND

CRIMINAL CASE No.2238/2025

Complainant:

The State of Karnataka represented by Aland
Police Station.
(By A.P.P.)

v/s

Accused:-

Eshwar S/o Manik Pawar,
Age: 38 years, Occ: Coolie, R/o. Teerth Tanda,
Tq: Aland, Dist: Kalaburagi.

(By Sri.B.A.D./SBP. Advocates)

Date of offence	16.02.2024
Date of report	19.02.2024
Date of arrest of accused	-----
Whether in custody	No
Complainant	Smt. Jayshree W/o Ishwar Pawar



Offences alleged	U/Sec.498(A), 323, 324, 504 and 506 of IPC.
Evidence commenced on	26.02.2026
Evidence closed on	05.03.2026
Judgment pronounced on	06.03.2026
Opinion of Presiding Officer	Accused was found not to be guilty
State by	APP
Accused by	Sri.BAD/SBP Advocate

**PRL.CIVIL JUDGE& JMFC
ALAND**

J U D G M E N T

The SHO of Aland Circle has filed charge sheet against the accused for the offences punishable U/Sec.498(A), 323, 324, 504 and 506 of IPC.

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

It is alleged by the prosecution that, the marriage of the informant by name Jayashree performed with the accused in 2017 at Teerth Tanda of Aland Taluk. Due to wedlock she begotten three children i.e. Thrisha, Tanvi and Ayush and when she carrying 6 month of fourth Child in her womb at that time, the accused subjected her to dowry harassment by demanding to provide money to fulfill bad vices of him and subjected her to the physical torture and mental agony by



assaulting and by abusing her in filthy words. Further on 16.02.2024 at about 9:00 a.m. when the informant had been to attend the agricultural work in the land belonging to Gopi S/o Devalu Rathod of Teerth Tanda which comes within the jurisdiction of Aland police station, the accused came over there picked up quarrel with her by abusing her in filthy language such as “ಏ ರಂಡಿ ನನಗೆ ಕುಡಿಯಲು ಹಣ ಕೊಡು” provoked her intending that such provocation would cause her to break the public peace, voluntarily assaulted with stick on her head and back and caused internal injury and used the said stick as weapon in causing injury so also voluntarily assaulted with bare hands on her person and caused internal injury, threatened to her life with dire consequences so as to cause alarm in her mind by contending that “ನನಗೆ ಹಣ ಕೊಟ್ಟಿಲ್ಲ ಅಂದರೆ ನಿನಗೆ ಜೀವ ಸಹಿತ ಬಿಡುವುದಿಲ್ಲ” by committing an act of criminal intimidation. In this regard she has approached the Aland Police Station and lodged her complaint. On the strength of it Station House Officer of said police station registered the case in their P.S Crime No.50/2024 for the offences U/Sec.498(A), 323, 324, 504 and 506 of IPC. Later the investigating officer has taken the further investigation. On conclusion of investigation submitted charge-sheet against the accused for the above said offences.

3. Thereafter cognizance for the said offences were taken against the accused and summons was issued. On service of summons, the accused appeared before the court through his



counsel and enlarged on bail.

4. Prosecution papers were furnished to the accused in compliance of Section 207 of Cr.P.C.

5. Heard Learned APP and Learned counsel for accused. As there were sufficient material against the accused, charge was framed against him and same was read over and explained to him in the language known to him, he has 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, the prosecution has got examined the complainant as PW-1 and parents of the informant as PW-2 and 3 and got marked 03- documents as Ex.P-1 to Ex.P3 and closed its side. As there are no incriminating circumstances appearing against the accused, the statement as required U/s 313 of Cr.P.C. 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 marriage of the informant by name Jayashree performed with the accused about 17



years back at Teerth Tanda of Aland Taluk. Due to wedlock she begotten three children i.e. Thrisha, Tanvi and Ayush and when she carrying 6 month of fourth Child in her womb at that time, the accused subjected her to dowry harassment by demanding to provide money to fulfill bad vices of him and subjected her to the physical torture and mental agony by assaulting and by abusing her in filthy words and thereby committed an offence punishable under section 498(A) of IPC?

2. Whether the prosecution proves beyond all reasonable doubt that, on 16.02.2024 at about 9:00 a.m. when the informant had been to attend the agricultural work in the land belonging to Gopi S/o Devalu Rathod of Teerth Tanda which comes within the jurisdiction of Aland police station, the accused came over there picked up quarrel with her by abusing her in filthy language such as “ಏ ರಂಡಿ ನನಗೆ ಕುಡಿಯಲು ಹಣ ಕೊಡು” provoked her intending that such provocation would cause her to break the public peace and thereby



committed an offence punishable U/sec.504 of IPC?

3. Whether the prosecution proves beyond all reasonable doubt that, on the above said date, time and place, during the course of same transaction, accused picked up quarrel with the informant voluntarily assaulted with stick on her head and back and caused internal injury and used the said stick as weapon for causing injuries and thereby committed an offence punishable under Section 324 of IPC?
4. Whether the prosecution proves beyond all reasonable doubt that, on the above said date, time and place, during the course of same transaction, accused picked up quarrel with the informant voluntarily assaulted with bare hands and thereby caused internal injuries and thereby committed an offence punishable under Section 323 of IPC?
5. Whether the prosecution proves beyond all reasonable doubt that, on above said date time and place during course of same transaction, accused picked up quarrel



with the informant threatened to her life with dire consequences so as to cause alarm in her mind by contending that “ನನಗೆ ಹಣ ಕೊಟ್ಟಿಲ್ಲ ಅಂದರೆ ನಿನಗೆ ಜೀವ ಸಹಿತ ಬಿಡುವುದಿಲ್ಲ” by committing an act of criminal intimidation and thereby committed an offence punishable under Sec.506 of Indian Penal Code?

6. 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 : As per final order for the following:

REASONS

10. POINTS NO.1 TO 5:- 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.

11. The prosecution in order to prove the guilt of the accused has examined the C.W.1 by name Jayshree W/o Ishawar Pawar got examined as PW1, who is the injured as well as the complainant who has deposed before the Court



that the accused is her husband and she does not having any information about the present incident in question and also she has not filed any complaint before the police nor given any statement. She also deposed that she has not shown spot to the police. As per the say of police she has signed on the document marked as Ex.P1 and her signature identified as Ex.P1(a).

12. 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.

13. CW5-Motiram S/o Gomu got examined as PW2 and C.W.6 Punnubai W/o Motiram got examined as P.W.3. They too not supported case of prosecution and thereby turned hostile. Hence, by treating them as hostile witnesses learned APP cross-examined them, but fails to elicit anything from their mouth so as to prove about recording of their statements by the IO during investigation as per Ex.P.2 and 3.

14. In the instant case the P.W.1 is the complainant and P.W.2 and 3 are her parents. All these witnesses have failed to support their own case. Hence, in view of hostile evidence of PW1 to PW3 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 has beaten at any time to PW-1 any of the object or with hand and abused and threatened her and thereby committed offences punishable under Sections 498(A), 323, 324, 504 and 506 of IPC.

15. It is pertinent to note that the complainant herself has denied about the lodging of complaint against the accused and giving statement by the parents of the complainant. Then the evidence of the complainant loses its value and doubt arises with regard to commission of the alleged offences. When the complainant and parents of the complainant themselves have turned hostile to the case of prosecution, there is no material on record so as to convict the accused. Thus, benefit of doubt clearly goes in favour of the accused, **for the above discussion I answer point No.1 to 5 in the negative.**

16. Point No.6:- For the foregoing reasons, I proceed to pass the following.

ORDER

Acting U/s.248(1) of Cr.P.C., the accused is hereby acquitted for the offences punishable U/secs.498(A), 323, 324, 504 and 506 of IPC.

The bail bond and surety bond of the accused stands canceled.



The seized club as shown in the charge sheet column No.11 being worthless is ordered to be destroyed after expiry of appeal period.

(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 6th day of March, 2026)

**(SUMAN CHITARGI)
PRL.CIVIL JUDGE & JMFC
ALAND**

ANNEXURES

Witnesses examined for the prosecution:-

PW1 : Jayshree W/o Ishwar Pawar
PW2 : Motiram S/o Gomu
PW3 : Punnubai W/o Motiram

Ex.documents marked for the prosecution:-

Ex.P1 : Complaint.
Ex.P1(a) : Signature.
Ex.P2 : Statement of PW2.
Ex.P3 : Statement of PW3.

Witness/Ex.documents marked for the accused:

-Nil-

Date: 06.03.2026.

**(SUMAN CHITARGI)
PRL.CIVIL JUDGE & JMFC
ALAND**

Dictated on : 06.03.2026.
Checked on : 06.03.2026.
Signed on : 06.03.2026.

**(SUMAN CHITARGI)
PRL.CIVIL JUDGE & JMFC
ALAND**