

IN THE COURT OF II ADDL. DISTRICT AND SESSIONS

JUDGE, KOLAR

Spl.C(SC/ST) No.32/2021

PW:-9 CW:-12

Duly Sworn on:-19.06.2025.

Deposition of :- Kiran.V
Father's name :- Venkatesh
Age :- 40 years
Occupation :- PI, CID, Bengaluru.
Residence : Bengaluru.

Examination-in-Chief by learned P.P.:-

From March 2020 to October 2022, I was working as PSI, Kolar Rural Police Station.

On 30.05.2021 when I was the SHO of the Kolar Rural Police station at around 7.30pm the complainant by name Sathish S/o Late Sonnappa, came to the police station and given the complaint and I had filed FIR in Cr. No.202/2021, for the offences punishable U/s 143, 147, 148, 323, 324, 327, 504, 506 R/w Sec 149 of IPC and Sec 3(1)(r), 3(1)(s) of SC/ST PoA act.

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Now I see the complaint which is already marked Ex.P1, which contains my endorsement and signature and the same is marked as ExP1(b).

Now I see the FIR bearing Cr.No.202/2021 and the same is marked as ExP7. The signature of the witness is marked as Ex.P7(a). I sent the FIR and the complaint to the Hon'ble Court and my higher Officer through PC 692 Manjunatha (Cw-11).

As it was special case, the file was handed over to Cw-13 ASP Shahil Bagla. On the same day as per the direction of Cw-13 ASP Shahil Bagla at around 9.30pm I had taken accused No.3 Murali Mohan to the custody and produced before Cw-13 ASP Shahil Bagla along with report.

Now I see the report, which is marked as Ex.P8 and I identify my signature as Ex.P8(a).

Cross Examination by Sri.MH counsel for the Accused.

Before lodging the complaint I had not conducted preliminary enquiry. I have not enquired that whether there was any civil dispute between the parties.

It is true to suggest that, according to the contents of the complaint the case relates to civil dispute. There was a civil dispute in Survey No.103 of Garudanahalli Village.

I have not verified the revenue documents before lodging the complaint.

It is true to suggest that, there was a injunction order obtained by the accused No.1 in respect of the property as per the Ex P1.

I did not enquire whether the accused No.1 Sujatha was working as Under Secretary for the educational department, Vidhana Sowdha. I was the investigating officer for the complaint lodged by the accused no.1 Sujatha against Ramachandrappa(Pw-6) and others.

The witness identifies the certified copy of the charge sheet in Cr No.201/2021, which is marked as Ex D2.

It is true to suggest that, Cr.No.201/2021 and Cr.No.202/2021 are case and counter case. The Cr No.201/2021 was filed first.

I had received the Complaint in Crime No.202/2021 at 7.30pm. I had dispatched the FIR to the Court at 8.00pm on the same day. The FIR was with me for around 30 minutes. I handed over the case file to Cw-13 Shahil Bagla.

It is false to suggest that, at that time the complainant had not lodged the complaint, nor I had handed over the case file to Cw-13.

It is false to suggest that, since there was counter case, at the instance of Ramacharappa(Pw-6) joining with him, a false case have been filed against these accused persons.

It is false to suggest that, even though accused No.3 was not involved in the offence, I had taken the accused No.3 to custody from his house.

It is true to suggest that, from the complaint itself it is forthcoming that there was civil dispute between the parties. It is also true to suggest that, before the registration of the case under SC/ST Act when there is civil dispute, there are guidelines issued by the Hon'ble Supreme court. The witness further states that, as there was an assault I had registered the case.

It is false to suggest that, there was no assault at all and false case has been lodged against these accused persons.

(The counsel for the accused submits no further cross examination of the Pw-9)

(Computerized my dictation in open court hall.)

R O I & A C,

(DIVYA P.K)

II Addl. Dist. & Sessions Judge, Kolar.