

IN THE COURT OF THE
ADDL. DISTRICT AND SESSIONS JUDGE, KOPPAL
(SITTING AT GANGAVATHI)

S.C. No.37/2024

Duly sworn on: 15.07.2025

Further Examination in Chief by Learned Public Prosecutor:

3. Police have enquired me and I have given statement to them by stating that, earlier I did not know the names of the Accused persons and after coming to know the names of the Accused persons from my elder brother, I have given their names in my statement. I can identify the Accused persons in this case. (Counsel for Accused No.1, 2, 4 to 9 has filed EP not disputing the identity of the Accused No.1, 2, 4, 6 to 9.) Witness identifies the Accused No.5 who is present before the Court through VC and submits that, "ಬಾಕು ಚುಚ್ಚಿಧ್ಡು ಇವರೇ".

4. I can identify the material objects used to for assaulting my elder brother. Witness identifies two wooden clubs. The same are marked as M.O.-1 and 2. Witness also identifies one black colour button Knife. The same is marked as M.O.-3. Witness also identifies red colour T-shirt. Witness submits that, T-shirt belongs to her elder brother / CW9. The T-shirt is marked as M.O.-4. Witness identifies the blood stained banion of CW10. The same is marked as M.O.-5.

Cross-Examination by Sri BNH, Advocate for Accused**No.1, 2, 4, 6 to 9:**

5. My house is situated at ward No.16 of Gangavathi. My house is situated behind Maruthi Gas Company of Gangavathi. It is true to suggest that, there is Godown of Maruthi Gas Company. It is true to suggest that, there is Godown adjacent to our house. Witness volunteers that, on the right side of the house, the Godown is situated. My house is at the distance of around 10 meters from the road. It is false to suggest that, my house is 300 meters away from the road. It is true to suggest that, there is a Durugamma Stream behind our house. It is false to suggest that, we are tying the Cattles in front of our house. Witness volunteers that, they are tying the Cattles inside their compound. It is true to suggest that, there is a gate in front of our house at the compound. The main road is around 60 to 70 feet away from our compound gate. It is false to suggest that, on the front side of our house, there is Srinivas Agencies Kerosene shop. Witness volunteers that, the same is situated on the left side of her house. It is true to suggest that, there is Concrete road outside the

compound. Witness volunteers that, Concrete road was not there earlier. It is true to suggest that, there is a garage near the gate of our compound. The same is called Shivananda garage. It is false to suggest that, there will be galata near our gate all the time as the said place is crowded with the people. There is Bombay Biriyani Hotel in front of our house near the road. It is true to suggest that, there is also groundnut mill adjacent to Bombay Biriyani Hotel.

6. It is true to suggest that, there is public Concrete road near our house. It is true to suggest that, if someone needs to come to our house, they need to enter through our compound gate. At the time of the incident, we had around 50 Cattles and Buffaloes in total. At the time of the incident, I was sweeping in front of my house and my mother was also present at that time. My all 7 elder brothers were inside the house. I was cleaning outside the compound wall. It is false to suggest that, we were having Coolies for cleaning work at the time of alleged incident. Witness volunteers that, they are doing their own work.

7. When I was cleaning, 4 persons came near our house by making Whistles. It is false to suggest that, there are no other ways to go to other road when the people will come towards the compound of her house. The incident has happened from 05.00 pm to 05.30 pm. The 4 persons were not carrying any material objects in their hands at that time. Mohammed Rafi, Raja Hussain, Ahmmed Hussain and Mehamood Pasha are the 4 persons who came towards our compound. Later, Raja Hussain has brought around 5 people to the spot in a 5 minutes of time. At that time, the time was about 05.05 pm. Raja Hussain has brought Raja Mohammed, Arbhaj, Sohail, Mohammed Aspaq and Syed Nahim Pasha to the spot.

8. Later, my elder brother Chandrashekhar (CW12) came to the spot. Raja Mohammed, Arbhaj, Sohail, Mohammed Aspaq and Syed Nahim Pasha did not have any weapons in their hands when they came to the spot. Sohail and Ahmmed Hussain took wooden clubs from near our house and assaulted my elder brothers by name Chandrashekhar, Sathyanarayana and Mohan. Arbhaj has stabbed my elder

brothers by name Balappa and Sanjeev Kumar on their stomach and back. We had parked our Tractor loaded with wood in front of the house and the wooden clubs are taken from the Tractor. I have stated in my complaint that, my elder brothers are assaulted with wooden clubs. I have mentioned in my complaint that, the persons are brought by making call. It is true to suggest that, I have got written in my complaint that, 40-50 members came to the spot. I do not know the names of all the 40-50 members. It is false to suggest that, the Accused persons have not assaulted my elder brothers with wooden clubs. It is false to suggest that, Arbhaj has not stabbed my elder brothers by name Balappa and Sanjeev Kumar on their stomach and back. The galata has happened for about 30 minutes when Raja Hussain brought people to the spot. 5-10 persons have pacified the incident. Santhosh, Galeppa & Shivananda have pacified the incident. It is false to suggest that, the Accused persons never came to the spot. It is false to suggest that, the Accused persons have not assaulted my elder brothers.

9. We went to the Gangavathi Government Sub Divisional Hospital after the galata. We were in the Hospital for about some time. Later, the Doctors have advised us to take Balappa and Sanjeev Kumar to SDM Hospital of Dharwad. On the same day, on 20.05.2018, I have visited the Police Station and lodged the complaint. I have mentioned in the Ex.P.-1 Complaint that, Balappa and Sanjeev Kumar are taken to SDM Hospital of Dharwad. It is false to suggest that, the Accused persons have not scolded us in filthy language. It is false to suggest that, Balappa and Sanjeev Kumar have fell down themselves and got injured. It is false to suggest that, though the Accused persons have not committed any offences, I am deposing falsely before the Court against the Accused persons.

10. On the next day of filing the complaint, on 21.05.2018, the Police came to the spot. I have given information to the Police on the spot mahazar. Witness volunteers that, herself and her elder brothers have given information. It is false to suggest that, as there was a personal grudge against the Accused No.1 to 5, I have filed

a false complaint against the Accused persons. It is false to suggest that, the Accused persons have not at all related to the alleged incident.

Cross-Examination by Sri KSJ, Advocate for Accused

No.5:

The Accused No.5 prays time. No grounds made out for adjournment. Hence, cross-examination is taken as nil.

Re-examination: Nil.

(Typed to my dictation in open Court)

R.O.I. & A.C.

(Sadananda Nagappa Naik)
Addl. District and Sessions Judge,
Koppal (Sitting at Gangavathi).