

KAMS700038262022



**IN THE COURT OF SENIOR CIVIL JUDGE AND JMFC
AT T. NARASIPURA**

PRESENT

SRI. HANUMANTHA G.H.

B.A.L., LL.M.

Senior Civil Judge and JMFC,
T. Narasipura.

C.C. NO.2111/2022.

DATED THIS 07th DAY OF MARCH, 2026.

COMPLAINANT : The State of Karnataka
Through the Women Police Station
Mysuru District.
(By A.P.P.)

Vs.

ACCUSED : Kizar Ahamed
S/o Late Khubhul Ahamed,
Age: 42 years,
R/at: #10, 3rd Cross,
'C' Street, Rayapuram,
JJR Nagar, Bengaluru.
(By Sri. Basavanna S.
Advocate)

1. Date of offence : From 22.07.2020 to
20.02.2022.
2. Date of report of offence : 13.03.2022.

3. Date of arrest of accused : - - - -
4. Date of release of them : - - - -
5. Name of the first informant : Smt. Zakhiya Begum.
6. Date of commencement of evidence. : 16.02.2026.
7. Date of closure of evidence : 16.02.2026.
8. Offences alleged : Sections 498-A, 504, 506 of IPC and 3, 4, 6 of D.P. Act 1961.
9. Opinion of the P.O. : Accused is not found guilty.
10. Complainant Rep. By : A.P.P.
11. Accused Rep. By : Sri. Basavanna S. Advocate.

(HANUMANTHA G.H.),
Senior Civil Judge and JMFC,
T. Narasipura.

J U D G M E N T

The PI of Women Police Station, Mysuru District has filed the charge sheet against the accused for the offences punishable under Sections 498-A, 504, 506 of IPC and 3, 4, 6 of Dowry Prohibition Act, 1961.

2. The case of the prosecution is that:-

On 22.07.2020, the accused married C.W.1; the accused demanded the parents of her for dowry before marriage and received the dowry of cash of Rs.2,00,000/-, a gold ring and watch from them, but he did not return them to the parents of her; thereafter, the accused demanded her to bring dowry from her parental house and insulted her by the words of filthy language and also put her into physical and mental cruelty; on 20.02.2022, the accused engaged into quarrel with her relating to dowry, insulted her by the words of filthy language and put her life into threat. Thus, the accused has committed the above offences.

3. On receipt of the charge sheet, my learned predecessor in office has taken cognizance of the offences and issued summons to the accused. On appearance of him, he is enlarged on bail and the copy of the charge sheet is furnished to him as per Section 207 of Cr.P.C.

4. The charges for the above offences are framed, read over and explained to the accused. He has not pleaded guilty, but claimed to be tried.

5. The prosecution has got a witness examined as P.W.1 and five documents marked as Exs.P.1 to 5 to prove its case.

6. The examination of accused under Section 313(1)(b) of Cr.P.C. is dispensed with since there are no incriminating circumstances in the evidence of the prosecution witnesses.

7. The bail bond of the accused and surety is taken as per Section 437-A Cr.P.C.

8. I have heard the arguments of both sides and perused the materials on record.

9. The points for consideration are as under:-

1. Whether the prosecution has proved beyond all reasonable doubts that on 22.07.2020, the accused married P.W.1; the accused demanded the parents of her for dowry before marriage and received the dowry of cash of Rs.2,00,000/-, a gold ring and watch from them, but he did not return them to the parents of her; thereafter, the accused demanded her to bring dowry from her parental house and insulted her by the words of filthy language and also put her into physical and mental cruelty; on 20.02.2022, the

accused engaged into quarrel with her relating to dowry, insulted her by the words of filthy language and put her life into threat and thereby the accused has committed the offences punishable under Sections 498-A, 504, 506 of IPC and 3, 4, 6 of Dowry Prohibition Act, 1961?

2. What Order?

10. The answers to the above points are:-

Point No.1 : Negative.

Point No.2 : As per final order.

REASONS

11. POINT NO.1:- P.W.1 is the first informant. She has completely denied the case of the prosecution. Though the F.I.S, and the spot mahazars are marked through P.W.1 as Exs.P.1 to 4, she has denied the contents of them. She had also denied the case of the prosecution even in the cross examination of her made by learned A.P.P. Hence, the further statement of her given before the police is marked as Ex.P.5.

12. P.W.1 being the material witness has not supported the case of the prosecution. Therefore, the prayer of learned A.P.P. seeking issuance of summons to other witnesses is rejected. There is complete absence of evidence on record to hold that the prosecution has proved its case. Therefore, the accused needs acquittal. Accordingly, the **point No.1** is answered in the **negative**.

13. POINT NO.2:- In view of the finding on the point No.1, I proceed to pass the following.

ORDER

The accused is not found guilty for the offences punishable under Sections 498-A, 504, 506 of IPC and 3, 4, 6 of Dowry Prohibition Act, 1961 Hence, acting under Section 248(1) of Cr.P.C., he is acquitted of the above offences.

The bail bond of the accused and his surety taken at trial stage stand canceled.

The bail bond of the accused and his surety taken as per Section 437-A Cr.P.C will exist for a period of 6 months from this date.

(Dictated to the Stenographer directly on Computer, typed by him, corrected and then pronounced by me in the open court on this 07th day of March, 2026)

(HANUMANTHA G.H.),
Senior Civil Judge and JMFC,
T. Narasipura.

ANNEXURE

1. WITNESS EXAMINED FOR THE PROSECUTION:-

P.W.1 : Smt. Zakhiya Begum.

2. DOCUMENTS MARKED FOR THE PROSECUTION:-

Ex.P.1 : F.I.S.

Ex.P.1(a) : Signature of P.W.1.

Exs.P.2 to 4: Spot mahazars.

Ex.P.2(a)
to 4(a) : Signatures of P.W.1.

Ex.P.5 : Further statement of P.W.1.

3. WITNESS EXAMINED FOR THE DEFENCE:-

- N I L -

4. DOCUMENT MARKED FOR THE DEFENCE:-

- N I L -

(HANUMANTHA G.H.)
Senior Civil Judge and JMFC,
T. Narasipura.

(Separate Judgment is passed and pronounced in the open court)

ORDER

The accused is not found guilty for the offences punishable under Sections 498-A, 504, 506 of IPC and 3, 4, 6 of Dowry Prohibition Act, 1961 Hence, acting under Section 248(1) of Cr.P.C., he is acquitted of the above offences.

The bail bond of the accused and his surety taken at trial stage stand canceled.

The bail bond of the accused and his surety taken as per Section 437-A Cr.P.C will exist for a period of 6 months from this date.

Senior Civil Judge and JMFC,
T. Narasipura.