

KARC310058552024



Presented on : 14-11-2024

Registered on : 14-11-2024

Decided on : 26-03-2026

Duration: 1 years, 4 months, 12 days

**IN THE COURT OF THE PRINCIPAL CIVIL JUDGE & J.M.F.C,
LINGASUGUR.**

Dated this 26th day of March, 2026.

Present: Sri. AMBANNA. K.

B.Com, L.L.B. [Spl]

Civil Judge & J.M.F.C., Lingasugur.

CC.NO.2197/2024.

Complainant :

The State by P.S.H.O.
Lingasugur P.S.

(By the learned APP., Lingasugur.)

-Vs-

Accused

Babusab @ Altaf S/o Maheboob Sab,
Age: 22 years, Occ: Driver.
R/o Yaragunti Village,
Tq:Lingasugur, Dist:Raichur.

(By Sri.S.G.P., Advocate.)



Date of commission of offence	22-06-2024.
Date of report of offence	28.06.2024.
Date of arrest of accused	Not arrested.
Name of the complainant	Salma Begam.
Date of recording of evidence	20.01.2026.
Date of closing of evidence	24.03.2026.
Offences complained of	U/Sec.354(A), 354(D), 504 and 509 of Indian Penal Code.
Opinion of the Judge	Accused persons not found guilty.

J U D G M E N T

The P.S.I. of Lingasugur P.S. has submitted charge sheet against the accused for the offenses having been committed punishable under Sections 354(A), 354(D), 504 and 509 of Indian Penal Code.

2. The brief facts of the prosecution case is as follows:

That on 22-06-2024 at about 9:30 P.M., the accused uploaded the status in the mobile instragram like my-jaanu-ssssss along with the private photo of the CW.1 editing with his photo. The accused running his auto infront of house of CW.1 by playing Janapada songs loudly and gave sexual harassment and he stalking CW.1 by teasing her with intend



to insult modesty of CW.1 by making some sound or gesture intending that, the same shall be heard or seen by CW.1. Due to which on 23-06-2024 at 10.00 AM when CW.1, 4 and 5 went to the house of the accused and asked him for which he abused her in filthy language and thereby the accused persons have committed the aforesaid offences.

3. On the basis of first information filed by CW.1 Salma Begam, a criminal case has been registered in Lingasuguru Police Station Crime No.178/2024 and FIR was sent to the Court. On the place shown by CW-1 the police have conducted the spot mahazar in the presence of punchas. Further the police have recorded the statements of the witnesses. After completion of investigation the charge sheet has been filed against the accused persons for the alleged offences.

4. The cognizance of the offences was taken and summons to the accused persons has been issued. The accused persons appeared before the court through their counsel and got released on bail. Copies of the charge sheet were furnished to the accused persons in compliance of section 207 of Cr.P.C. After hearing the accused persons charge was framed as against the accused persons for alleged offences and read over and explained to them, for



which they pleaded not guilty and claimed to be tried. Hence, case has been posted for prosecution evidence.

5. In support of its case, the prosecution has examined as many as 4 witnesses as PW.1 to 4 and got marked document at ExP.1 to P5. There is no incriminating evidence given by the witnesses against the accused, hence statement as required under section 313 of Cr.P.C. is dispensed with.

6. Heard the arguments on both sides and perused the materials available on record.

7. The points which arises for determination are as follows:

1. Whether the prosecution proves beyond all reasonable doubt that, on 22-06-2024 at about 9:30 P.M., the accused uploaded the status in the mobile instgram like my-jaanu-ssssss along with the private photo of the CW.1 editing with his photo. The accused running his auto infront of house of CW.1 by playing Janapada songs loudly and gave sexual harassmt and he stalking CW.1 by teasing her and thereby accused persons have committed the offence punishable under section 354(A) of IPC ?

2. Whether the prosecution proves beyond all reasonable doubt that, on the aforesaid date, time and place, the accused



stalking CW.1 by teasing her and thereby accused persons have committed the offence punishable under section 354(D) of IPC ?

3. Whether the prosecution proves beyond all reasonable doubt that, on the aforesaid date, time and place, the accused abused CW.1 in filthy language Like "Sule" and thereby gave provocation to them, intending or knowing it to be likely that such provocation will cause to break the public peace and thereby committed the offence punishable U/S 504 of IPC?

4. Whether the prosecution proves beyond all reasonable doubt that, on the aforesaid date, time and place, accused running his auto in front of house of CW.1 by playing Janapada songs loudly and gave sexual harassment and he stalking CW.1 by teasing her with intend to insult modesty of CW.1 by making some sound or gesture intending that, the same shall be heard or seen by CW.1 and thereby accused persons have committed the offence punishable under section 509 of IPC ?

5. What order or sentence ?

8. My answer to the above points are:

Points No.1 to 4 : In the negative

Point No.5. : As per the final order for the following :



REASONS

9. Point No.1 to 4: I have taken these points together for consideration to avoid repetition of facts and circumstances and also for the sake of convenience and brevity.

It is well settled that in a criminal case the entire burden is upon the prosecution to prove the alleged offences against the accused as per section 101 of evidence Act. The accused need prove nothing. Suffice for the accused to create doubt about the admissibility as to the evidence of the prosecution witnesses.

10. In order to bring home the guilt of the accused, the prosecution has examined 4 witnesses as PW.1 to 4. Wherein CW.1 Salma Begam, who is the first informant and victim in this case as examined as PW.3. She deposed in his chief examination that, the accused person orally quarreled with her. When she went to the police station for personal work the police have taken her signatures on two documents. Further she deposed that he does not know the contents of Ex.P-1 to 3. The police have not conducted any mahazar in her presence. She clearly deposed that the accused person never give any abused, insulted, making sexually coloured remarks to her.



11. The prosecution examined the CW-2 Shivaraja, CW-3 Ramanagouda and CW-4 Hussainbee, who are the relatives of CW-1 as PW-2 to 4 . They have deposed that the accused person never give any abused, insulted, making sexually coloured remarks to CW-1. They further deposed that they have not given any statements before the police.

12. The PW-1 to 4 were treated as hostile witnesses. The learned Assistant Public Prosecutor cross-examined them, but nothing worth has been elicited from their mouth to prove the case of prosecution. The PW-1 to 4 denied the entire case of the prosecution in their cross-examination.

13. In view of hostile evidence of victims and witness i.e., PW-1 to 4 no purpose would be served by examining other witnesses. Hence, rest of the prosecution witnesses were dropped by rejecting the prayer of learned Assistant Public Prosecutor as no purpose would be served. It is fundamental principles Criminal Jurisprudence that the prosecution has to prove its case all reasonable doubts. Perused the evidence available on record. Absolutely there is nothing on record to prove that the accused person never give any abused, insulted, making sexually Coloured remarks to PW-1 and thereby committed offences punishable U/Sec.354(A), 354(D),



504 and 509 of Indian Penal Code. The prosecution has failed to prove the guilt against the accused person beyond all reasonable doubts. **Accordingly, I answered the point No.1 to 4 in the Negative.**

14. POINT NO.5:- In view of the above findings given on point No.1 to 4, this court proceed to pass the following ;

ORDER

In exercise the powers conferred under Section 248(1) of Cr.P.C, the accused is hereby acquitted of the alleged offences punishable under sections 354(A), 354(D), 504 and 509 of Indian Penal Code.

The bail bonds and surety bonds of the accused shall be continued for a period of 6 months as per section 437(A) of Cr.P.C.

(Dictated to the stenographer directly on the computer, corrected and then pronounced by me in the open court on this 26th day of March, 2026.)

**(AMBANNA.K)
Prl., Civil Judge & JMFC.,
Lingasugur.**



ANNEXURE

WITNESS EXAMINED FOR THE PROSECUTION.

PW-1 : Shivaraja.
PW-2 : Ramanagouda.
PW-3 : Salma Begam.
PW-4 : Hussainbee.

DOCUMENTS MARKED FOR THE PROSECUTION.

Ex.P-1 : Panchanama.
Ex.P-1(ab) : Signatures.
Ex.P-2 : Photo.
Ex.P-3 : Complaint.
Ex.P-3(a) : Signature.
Ex.P-4 & 5 : Statements.

WITNESS EXAMINED ON BEHALF OF ACCUSED.

NIL

DOCUMENT MARKED ON BEHALF OF THE ACCUSED.

NIL

**Prl., Civil Judge & JMFC.,
Lingasugur.**