



IN THE COURT OF THE CIVIL JUDGE & JMFC.,
AT MANVI

PRESENT: Sri. Anand.H. Konnur, B.Com., LL.B.,
Civil Judge & JMFC,
Manvi.

C.C.No.373/2024

Dated this 10th day of June-2026

Complainant: State by Manvi P.S.

(By Assistant Public Prosecutor)

V/s

Accused: 1. Moosa @ Mustafa @ Mustafa net
S/o Irfan Shek,

Age: 20 yrs, Occ: Coolie,

2. Tayli Hussain S/o Khaja,
Age: 22 yrs, Occ: Coolie,

3. Shahabaj S/o Basha,
Age: 21 yrs, Occ: Coolie,

All are R/o Jummaladoddi,
Manvi.

(By Sri.S.S.M.D., Advocate)

Date of commencement of the offence : 10-03-2024



Date of report of offence : 10-03-2024
Name of the complainant : Smt.Haseena Begum
Date of recording of evidence : 09-06-2026
Date of closing of evidence : 09-06-2026
Opinion of the Judge: Accused persons not guilty for the offences P/U/Sec.341, 324, 504 and 506 R/w 34 of IPC.

//JUDGMENT//

The SHO of Manvi Police Station has filed this charge sheet against the accused persons for the offences punishable U/Sec.341, 324, 504 and 506 R/w 34 of IPC.

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

That accused No.1 to 3 on 10-03-2024 at about 04.30 P.M at Manvi town in cricket ground, when CW-4 & 5 were at cricket ground, at that time all accused in furtherance of their common intention of all, accused No.1 picked-up quarrel with CW-4 and



abused the him in a filthy language, thereafter all accused restrained by holding the CW-4 and accused No.1 assaulted with bear bottle on the left neck of the CW-4 and thereby caused simple injuries, and have given life threat to kill the CW-4 thereby committed an offence punishable Under Sec.341, 324, 504 and 506 4 R/w 34 of IPC.

3. After filing of the charge sheet this court 4 has taken cognizance and registered the criminal 4 case against the accused nos.1 to 3 issued summons to the accused No.1 to 3.

4. In response to the summons issued, accused Nos.1 to 3 have appeared before this court and they have enlarged on bail and furnished copy of charge sheet as contemplated U/sec.207 of Cr.P.C and thereafter, accused No.1 to 3 are heard on charges, charges for the said offences framed same were read over, wherein the accused Nos.1 to 3 pleaded not guilty and claimed to be tried.



5. Thereafter, the prosecution has proceeded to examine witnesses Cw.1 & 4 who are the complainant and victim material witnesses examined as Pw.1 & 2, documents marked as Ex.P1 to 3.

6. After closure of the prosecution case the statement of the accused No.1 to 3 under section 313 of Cr.P.C is dispensed as there is no any incriminating materials evidence exists against them.

7. Heard the arguments on both the sides and perused the prosecution material.

8. Therefore the points that arise for my consideration are:

- 1. Whether the prosecution proves beyond all reasonable doubt that accused No.1 to 3 on 10-03-2024 at about 04.30 P.M at Manvi town in cricket ground, when CW-4 & 5 were at cricket ground, at that time all accused in furtherance of their common intention of all, accused No.1 picked-up quarrel**



with CW-4 and abused the him in a filthy language thereby committed an offence punishable under section 504 R/w Sec.34 of IPC or not?

2. Whether the prosecution proves beyond all reasonable doubt that on the above said date, time, place, infurtherance of their common intention of all, accused No.1 after abusing the CW-4, all accused restrained by holding the CW-4 and accused No.1 assaulted with bear bottle on the left neck of the CW-4 and thereby caused simple injuries and thereby committed an offence punishable under section 341 & 324 R/w Sec.34 of IPC or not?

3. Whether the prosecution proves beyond all reasonable doubt that on the above said date, time, place, infurtherance of their common intention of all, have given life threat to kill the CW-4 and thereby committed an offence



**punishable under section 506 R/w
Sec.34 of IPC or not?**

4. What order?

9. My answer to the above points is as follows:

Point No.1	:	In the Negative
Point No.2	:	In the Negative
Point No.3	:	In the Negative
Point No.4	:	As per the final order for the following:

//REASONS//

10. **Point No.1 to 3** : These points are taken up together for common discussion and to avoid repetition of the facts and circumstances.

11. In order to establish the guilt of the accused No.1 to 3, the prosecution has examined Cw.1 and CW-4 who are the complainant as well as material victim eye witnesses examined as PW.1 & 2.

12. PW.1 & 2 who are the complainant as well as material victim witnesses, they deposed that there is no any quarrel between him and accused persons, CW-1 deposed that accused not restrained,



assaulted, abused and given life threat to CW-4, she has not given any complaint, nobody admitted in the Hospital, they have not given any further statements, they both turned hostile and not supported to the prosecution case.

13. The learned APP sought permission and cross-examined PW.1 & 2 in length, but nothing worth has been elicited from the mouth of this witnesses, further stated that the matter is compromised between themselves and accused No.1 to 3.

14. The learned APP requested for re-issuance of summons to other witnesses same was rejected by this court in view of the fact that complainant material victim eye witnesses turned hostile purpose will not be survived, if summons reissued to the other witnesses. PW-1 & 2 submitted they compromised the matter with accused persons, in view of the compromise by the PW-1 & 2 with the accused Nos. 1 to 3 and by turning hostile the 313 statements of the accused No.1 to 3 are hereby dispensed as there is no



any incriminating material evidence exists against the accused No.1 to 3.

15. Since the prosecution has failed to prove the guilt of the accused Nos.1 to 3. In view of the material witnesses turning hostile, this court is of the opinion that, the accused Nos.1 to 3 have not committed any offences as alleged by the prosecution. It creates doubt in the mind of the court, if any doubt arises in the mind of the court that benefit of doubt must be given to the accused and accordingly, I answer all the above points are in the Negative.

16. **Point No.4:** In view of my reasons stated supra, I proceed to pass the following:

ORDER

Acting Under Sec.248(1)
Criminal Procedure Code the
accused Nos.1 to 3 are acquitted
for the offences punishable
U/Sec. 341, 324, 504 and 506
R/w 34 of IPC.



The bail bond and surety
bonds of accused Nos.1 to 3 shall
stands cancelled.

(Directly dictated to the Stenographer through computer, typed by
her, corrected, signed and pronounced by me in the open court, this the
10th day of June 2026)

(ANAND.H.KONNUR)
Civil Judge & JMFC.,
Manvi.

: ANNEXURE :

**List of witnesses examined on behalf of the
Prosecution:**

Pw.1 : Hasina Begum W/o Imamsab
Pw.2 : Hussainbasha S/o Imamsab

**List of documents marked on behalf of the
Prosecution:**

Ex.P1 : Complaint
Ex.P2 : Statement of PW-1
Ex.P3 : Statement of PW-2

**List of Material objects on behalf of the
prosecution:**

NIL



List of witnesses examined on behalf of the defense:

NIL

List of documents marked on behalf of the defense:

NIL

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