



**IN THE COURT OF THE ADDL. SENIOR CIVIL JUDGE
AND JMFC KUNIGAL**

PRESENT

Smt.Gangavva Ayatti

B.A.,L.L.B.,(Hon's)

Addl. Sr. Civil Judge and JMFC,
Kunigal

DATE: 5TH DAY OF JUNE 2026

C.C.No.684/2025

Complainant : State of Karnataka
Through Huliurudurga PS
Kunigal Taluk.

(By Asst Public Prosecutor)

V/s

Accused : Basavaraju.K, S/o Late Kumar,
Age: 25 years,
R/at: Ningikoplu, Huliurudurga Hobli,
Kunigal Taluk, Tumakuru District.

(Accused by Sri.S.B.M., Adv.)

1.Date of commission of offences:	04.02.2025.
2. Date of report of offences:	08.02.2025.
3. Name of the complainant :	Jayamma.
4. Date of recording of evidence:	01.06.2026.
5. Date of closure of evidence:	01.06.2026.



6. Offences alleged :	U/s. 118(1), 352 of BNS.
7. Opinion of Judge :	The accused not found guilty.

(Smt.Gangavva Ayatti)

Addl. Senior Civil Judge and JMFC,
Kunigal.

JUDGMENT

The PSI of Huliurudurga Police Station has filed charge sheet against the accused for the offences punishable U/Sec 118(1), 352 of BNS.

2. The case of the prosecution is as follows:

That on 04.02.2025, at about 8.00 pm in the night, within the limits of Huliurudurga police station in Ningikoppalu village, while CW1 was standing in front of her house at that time the accused came there and abused her and asked to write site in his name and assaulted with club on her head and caused injuries, thereby committed offences punishable U/Sec 118(1), 352 of BNS.

3. On the basis of the complaint lodged by the complainant case is registered against the accused for the offences P/U/Sec 118(1), 352 of BNS. The Investigation Officer visited the spot and recorded the statements of the witnesses. After completion of the investigation, the PSI



submitted the final report against the accused for the alleged offences. Cognizance of the said offences was taken against accused on receipt of the police report.

4. After hearing both sides, this court framed the charge against the accused for the alleged offences and then read over and explained to them in Kannada language, for which the accused pleaded not guilty and claimed to be tried.

5. To substantiate the allegations made in the charge sheet and to prove the guilt of the accused, the prosecution has examined one witness as PW1 and got marked 4 documents as Ex.P1 to 4.

6. Learned APP treated PW1 as hostile and cross examined her. In her cross examination no incriminating evidence is found against the accused. Hence statement of accused U/s 313 Cr.PC. is dispensed with.

7. Heard the arguments of the Learned Asst. Public Prosecutor and Learned Counsel for the accused.

8. The points that arise for my consideration are as under:-

1. Has the prosecution prove beyond all reasonable doubt that, on 16.10.2023, at about 5.00 pm in the evening, within the limits of Huliurudurga police station in



Madugonhalli village, on public road while the CW1 was grazing the cattle at that time the accused picked up quarrel with her and abused her in filthy language and all the accused dragged and assaulted with hands on her body and accused No.2 assaulted with the back of sickle on her back and caused injuries and accused No.1 kicked her with sleeper on her stomach and legs and caused injuries and gave life threat, thereby committed offences punishable U/Sec 323, 324, 355, 504, 506 R/w 34 of IPC ?

2. What order or sentence?

9. My findings on the above points are:-

Point No.1 - In the Negative.

Point No.2 - As per the final order for the following:-

REASONS

10. **POINT No.1:-** In order to substantiate the charges leveled against the accused the prosecution has examined one witness as PW1 and PW1 has deposed in her examination in chief that, she do not know the contents of Ex.P1 and she do not know anything about this case and not given statement before the police. Learned APP treated her as hostile and cross examined her in her cross examination she denied the case of prosecution and admitted that, she has compromised with the accused.



11. PW1 being material witnesses turned hostile to the case of prosecution hence examination of other witnesses would be a futile exercise and no judicial purpose would be served. There is no incriminating evidence against the accused in the prosecution case. Thus, the prosecution utterly failed to prove the guilt of accused beyond all reasonable doubts. **Hence, I answer Point No.1 in the Negative.**

12. POINT NO.2 :- In view of the above discussion, I hold that the accused not found guilty of the alleged offenses and pass the following.

ORDER

Acting under section 271 (1) of BNSS the accused is acquitted of the offenses P/U/Sec 118(1), 352 of BNS.

The bail bonds and surety bonds under sec 437-A of the accused shall remain in force for 6 months or till appeal is preferred.

(Judgment is dictated to stenographer on system corrected by me and then pronounced by me in the open court on this **5th day of June 2026**).

sd/-
(Gangavva Ayatti)
Addl.Sr. Civil Judge and J.M.F.C.
Kunigal.



ANNEXURE

1. List of witnesses examined for the Prosecution:

PW1 : Devamma

2. List of witnesses examined for the accused:

-Nil-

3. List of documents marked for the Prosecution:

Ex.P1 Complaint.
Ex.P2 Panchanama.
Ex.P3 Sketch.
Ex.P4 Statement.

4. List of documents marked for the accused:

Nil

5. List of Material Objects marked for the Prosecution:

Nil

sd/-

(Gangavva Ayatti)

**Addl. Sr. Civil Judge and J.M.F.C.
Kunigal.**