

IN THE COURT OF THE 3rd A.D.J., AT HOSAPETE

Spl.C. No. 5002/2015

P.W. 04 C.W. 07

Name	: Hanumanthappa
Father's Name	: Devendrappa
Age	: 28 years,
Occupation	: Driver
Residence	: Mangalapur, Koppal District.

Duly Sworn on : 18-08-2023.

Examination-in-chief by: learned Spl.P.P.

I am working as a Driver on the vehicle belonging to C.W.1/P.W.2. The said Vehicle is standing in the name of C.W.5, maintained by C.W.4. C.W.6/P.W.3 is the Cleaner on the said Vehicle. We are plying the said Vehicle for transportation of the Sand from Koppal to Venkatapura, Sandur Taluka.

On 22.07.2014 we were going towards Venkatapur; near Kalahalli Checkpost I asked the Cleaner/C.W.6/P.W.3 to get a seal from the checkpost authorities; accordingly the Cleaner/C.W.6/P.W.3 went to have seal on the permit; for which he was asked Rs.600/- in the said Checkpost Office; when he expressed his inability to pay Rs.600/-, his mobile phone was taken by the Official in the said Checkpost. He came and intimated the same to me. I asked him to tell that we are not having money; accordingly he went and told the same to the Checkpost Authorities, for which the Checkpost Authorities contended that to pay Rs.600/- and get back the mobile phone. Accordingly we intimated to our C.W.1/P.W.2 on mobile phone and took our Vehicle and went towards Venkatapur.

On 23.07.2014 C.W.1/P.W.2, Cleaner/C.W.6/P.W.3 and myself went to the Office of the Lokayuktha, Hosapete about 11.00 a.m. to 12.00 Noon. The Lokayuktha Officials had given Voice Recorder to C.W.1/P.W.2 and the Cleaner/C.W.6/P.W.3; they have recorded the conversation and handed over the Voice Recorder to the Lokayuktha Officials. Accordingly Lokayuktha Police had taken C.W.1/P.W.2 and the Cleaner/C.W.6/P.W.3 to the Checkpost, at that time I was at Kalahalli Village, 1 Km away from the Checkpost. Thereafter Lokayuktha Police have taken the Accused in their Departmental Jeep; I have come back to my residence.

(The learned PP prays to treat this witness Partly hostile. Perused the entire file and the examination-in-chief of this witness. Hence permitted)

Cross Examination by learned Spl.PP

I do not know whether C.W.1/P.W.2 has filed a Written Complaint with the Lokayuktha Police. Witness volunteers that he was standing outside the Lokayuktha Police Station.

It is false to suggest that after bringing the Voice Recorder by C.W.1/P.W.2 and the Cleaner/C.W.6/P.W.3, the said Voice Recorder was played in the presence of the Panchas; even I was present at that time. Witness volunteers that he was not present and he has not heard playing of the Voice Recorder.

It is false to suggest that I was present when the Lokayuktha Police had conducted Pre-trap Mahazar.

It is false to suggest that I have personally witnessed giving of Rs.600/- to the Accused; the Lokayuktha Police conducting the Trap, wherein the hands of the Accused were dipped in the Solution which has turned into a Rose Colour.

It is false to suggest that I have given statement before the Lokayuktha Police Official on 23.07.2014, contending that "ನಾನು ಮೇಲ್ಕಂಡ ವಿಳಾಸದಲ್ಲಿ ಮಾಡಿರುತ್ತೀರಿ". For identification, the said Statement is marked as Ex.P30.

It is false to suggest that I am deposing in this Case in order to help the Accused.

Cross-examination by Sri.U.B.R. Adv for Accused :-

I have not seen, nor heard that the Checkpost Authorities have demanded Rs.600/- to affix a seal on the permit, with the Cleaner/C.W.6/P.W.3. It is false to suggest that I am deposing falsely that the Cleaner/C.W.6/P.W.3 have told me that Checkpost Authorities are demanding Rs.600/-. At the time when the Cleaner/C.W.6/P.W.3 had gone to get affixed the seal on the permit, I was in the Lorry.

I do not know as to who had taken the mobile phone of the Cleaner/C.W.6/P.W.3, in the Checkpost Office.

It is false to suggest that I am deposing falsely that I have not gone to the Lokayuktha Police Station alongwith C.W.1/P.W.2 and the Cleaner/C.W.6/P.W.3, at any point of time.

It is false to suggest that I am deposing falsely that Lokayuktha Police Officials had given Voice Recorder to C.W.1/P.W.2 and the Cleaner/C.W.6/P.W.3 to get recorded the voice; accordingly they have got recorded the voice of the Accused; and handed over the same to the Lokayuktha Police Officials.

I have not heard any voice recordings, in this Case.

It is false to suggest that I am deposing falsely in this Case that Lokayuktha Police had taken C.W.1/P.W.2 and the Cleaner/C.W.6/P.W.3 near the Checkpost;

and after sometimes they have taken the Accused in the Jeep towards the Lokayuktha Police Station.

Re-examination - **Nil** -.

(Typed to my dictation in the open Court)

R O I & A C

(ABDUL-RAHIMAN .A. NANDGADI)
III Additional District & Sessions Judge,
Ballari (sitting at Hosapete).