

**In the Court of II Addl. District & Sessions and Special Judge,
VIJAYPUR, At: VIJAYPURA.**

SESSIONS CASE NO.77/2024

CW No.05

PW No.03

Deposition of : Ningappa @ Ninganagouda Yalagod

Father Name : Mahadevappa

Age : 40 years

Occupation : Agriculture

Residence : Hallihal

Duly Sworn on: 03/09/2025.

**Examination-in-Chief by Ld. Spl. P.P.(PP attached to the Court
of III Addl. District and Sessions Judge, Vijayapur):**

C.W.1/ P.W.1 is my elder brother, C.W.6, 7 are my younger brothers; C.W.12 is my wife; C.W.16 is my father; C.W.13 is the wife of Laxman; I know C.W.8 to 12, 14 to 19; and Accused persons, as they are from my village.

We are owning an agricultural land bearing Sy.No.29/1 measuring 4 Acres 36 guntas; the said land is standing in the name of my father/C.W.16.

Accused Nos.1 to 5, 7 and 8 are residing abutting our agricultural land.

There was minor dispute inbetween us and the Accused persons, wherein Accused persons were claiming a Way in our agricultural land to approach their residential units. Due to the said dispute my brother/

C.W.1/P.W.1, had lodge a Complaint against Accused persons with Basavana Bagewadi Police Station.

No any assault has taken place inbetween us and Accused persons.

I have not given any Statement before Basavana Bagewadi Police, in this Case.

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

Cross Examination by learned PP

It is false to suggest that, On 23.10.2023, at about 7.45am in the morning when we were in our residence, situate at Hallihal village, Accused Nos.1 to 5, 7 and 8 came near our residence, on forming an unlawful assembly, armed with deadly weapons like Axes and Wooden clubs, started abusing us in filthy language, contending that, they want a Way in our agricultural land bearing Sy.No.29/1, to approach their respective residential units, wherein Accused No.1 assaulted C.W.6/Ramappa with the Axe; Accused No.3 assaulted C.W.7/Laxman with the Axe; Accused Nos.2, 5, 7 and 8 assaulted my brother/C.W.1/P.W.1, my father/Mahadevappa/C.W.16 and Yamanappa/C.W.18 with wooden clubs, with an intention to cause their death; Accused Nos.2 and 5 outraged the modesty of my wife/Bharati/C.W.12 and assaulted her with their respective hands causing injuries to her; Accused No.1 with an intention to cause death, assaulted me with the Axe, causing injuries; the villagers have rescued us from the hands of Accused

persons; at the time of leaving the place, the Accused person have extended life threat to us.

It is false to suggest that, we the injured person have taken treatment with Government Hospital Basavana Bagewadi and District Hospital, Vijayapura.

It is false to suggest that, I have given Statement before DySP Basavana Bagewadi on 11.11.2023, contending that "ನಾನು ಈ ಮೇಲ್ಕಂಡ ವಿಳಾಸದಲ್ಲಿ----- ಹೇಳಿಕೆ ನೀಡಿರುತ್ತೇನೆ". For identification, the said Statement is marked as Ex.P.11.

It is false to suggest that, I am deposing falsely in this case, since we have got compromised the matter with the Accused persons.

Cross-Examination by: Sri. SNA Adv., for Accused persons:

(Sri. SNA Adv for Accused persons submits that Accused persons have no cross examination towards P.W.3. Hence, Cross examination of P.W.3 by the Accused persons is taken as 'NIL'.)

Re-Examination: Nil.

(Typed to my dictation in the open Court)

R.O.I. & A.C.

(ABDUL-RAHIMAN .A. NANDGADI)
II Addl. District & Sessions & Spl.Judge,
VIJAYPURA.

**In the Court of II Addl. District & Sessions and Special Judge,
VIJAYPUR, At: VIJAYPURA.**

SESSIONS CASE NO.77/2024

CW No.04

PW No.02

Deposition of : Hanumagouda Handaragal

Father Name : Bhimanagouda

Age : 42 years

Occupation : Agriculture

Residence : Hallihal

Duly Sworn on: 03/09/2025.

**Examination-in-Chief by Ld. Spl. P.P.(PP attached to the Court
of III Addl. District and Sessions Judge, Vijayapur):**

I know C.W.1/P.W.1, C.W.2, 3, 5 to 19; and Accused persons, as they are from my village.

I do not know, whether there is dispute with regard to the Way in the land of C.W.1/P.W.1, inbetween C.W.1 and his family members on one hand and the Accused persons on the other hand.

I have not seen that, Accused persons have committed an assault upon C.W.1/P.W.1 and his family members; and I have pacified the quarrel taken place inbetween them.

I have not shown the spot of incident to Basavana Bagewadi Police, conduct Spot Mahazar in this Case.

Now a document/Spot Mahazar is shown to the Witness and questioned him to identify, whether the said document contains his Signature. Witness answers in the Affirmative. On identification, Spot

Mahazar is marked as Ex.P.3 and Signature of the Witness is marked as Ex.P.3(a). Witness contends that he do not know the contents of the Spot Mahazar/Ex.P.3.

Now, six Positive Photographs are shown to the Witness and questioned him to identify whether he is seen in the said Photographs. Witness answers in the Affirmative. On identification, the said Photographs are marked as Ex.P.4 to Ex.P.9.

(Now the sealed materials are unsealed in the presence of the Learned Spl. PP (PP attached to the Court of III Addl. District and Sessions Judge, Vijayapur) for the State and Sri. SNA., Adv for Accused Nos.1 to 5, 7 and 8; and found two Axe and one Wooden Stick). Now, two Axe and one Wooden stick present in the Open Court are shown to the Witness and questioned him to identify them. Witness fails to identify the said Material Objects. For identification, both the Axes are marked as M.O.1 and M.O. 2 and three sticks are marked as M.O. 3 to M.O.5.

Witness contends that, no any materials have been seized in his presence by Basavana Bagewadi Police.

I have not given any Statement before Basavana Bagewadi Police.

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

Cross Examination by learned PP

It is false to suggest that, On 23.10.2023 at about 7.45am in the morning, Accused Nos.1 to 5, 7 and 8 on forming unlawful assembly, armed with M.O.1 to M.O.5 came to the house of C.W.1/ P.W.1; raised quarrel with them, abused them in filthy language, contending to give

Way to them in their agricultural field, wherein Accused No.1 assaulted C.W.6/Ramappa with the Axe; Accused No.3 assaulted C.W.7/Laxman with the Axe; Accused Nos.2, 5, 7 and 8 assaulted me, my father/Mahadevappa/C.W.16 and Yamanappa/C.W.18 with wooden clubs, with an intention to cause our death; Accused Nos.2 and 5 assaulted Bharati/C.W.12 with their respective hands causing injuries; Accused No.1 with an intention to cause death of Ningappa/C.W.5 assaulted him with the Axe; Accused Nos.2 and 5 with an intention to outraged the modesty of Bharati/C.W.12, dragged and used Criminal force upon her, myself and other villagers pacified the quarrel and get rescued C.W.1 and his family members from the hands of Accused persons; at the time of leaving the place the Accused person have extended life threat to C.W.1/ P.W.1 and his family members.

It is false to suggest that, when Basavana Bagewadi Police had come to our village, I have shown the spot of incident, wherein Basavana Bagewadi Police have conducted the Spot Mahazar as per Ex.P.3 and got seized M.O.1 to M.O.5 from the spot of incident, in the presence of two panchas viz., C.W.2 and C.W.3; got drawn the Sketch and got clicked Positive Photograph as per Ex.P.4 to Ex.P.9; the said Mahazar proceedings were conducted inbetween 4.45pm to 5.45pm in the evening.

It is false to suggest that, I have given Statement before Basavana Bagewadi Police on 23.10.2023, contending that, "ನಾನು ಈ ಮೇಲ್ಕಂಡ ವಿಳಾಸದಲ್ಲಿ ----- ಹೇಳಿಕೆ ನೀಡಿರುತ್ತೇನೆ". For identification, the said portion of the statement is marked as Ex.P.10.

It is false to suggest that, I am deposing falsely in this case, in order to help the Accused persons.

Cross-Examination by: Sri. SNA Adv., for Accused persons:

(Sri. SNA Adv for Accused persons submits that Accused persons have no cross examination towards P.W.2. Hence, Cross examination of P.W.2 by the Accused persons is taken as 'NIL'.)

Re-Examination: Nil.

(Typed to my dictation in the open Court)

R.O.I. & A.C.

(ABDUL-RAHIMAN .A. NANDGADI)
II Addl. District & Sessions & Spl.Judge,
VIJAYPURA.

**In the Court of II Addl. District & Sessions and Special Judge,
VIJAYPUR, At: VIJAYPURA.**

SESSIONS CASE NO.77/2024

CW No.01

PW No.01

Deposition of : Sabanna Yalagod

Father Name : Mahadev

Age : 47 years

Occupation : Agriculture

Residence : Halihal

Duly Sworn on: 03/09/2025.

Examination-in-Chief by Ld. P.P.:

I know Accused Nos.1 to 5, 7 and 8 present in the Open Court today, as they are from my village.

C.W.5 to 7 are my younger brothers; C.W.8/Bhimanagouda is my cousin brother; C.W.9 to 15, 17 to 19 are my relatives; C.W.16 is my father.

We are owning an agricultural land bearing Sy.No.29/1 measuring 4 Acres 36 guntas; the said land is standing in the name of my father/C.W.16.

Accused Nos.1 to 5, 7 and 8 are residing abutting our agricultural land.

There was minor dispute inbetween us and Accused persons, wherein Accused persons were claiming a Way in our agricultural land to approach their residential units. Due to the said dispute I had lodge

a Complaint against Accused persons with Basavana Bagewadi Police Station.

No any assault has taken place inbetween us and Accused persons.

Now document/Complaint dated 23.10.2023 is shown to the Witness and questioned him to identify, whether the said document contains his Signature. Witness answers in the Affirmative. On identification, Complaint is marked as Ex.P.1 and Signature of the Witness is marked as Ex.P.1(a); the contents of the said Complaint is written by Basavana Bagewadi Police; and I have affixed my signatures to it; I do not know the contents of the said Complaint/Ex.P1.

I have not given any further Statement before Basavana Bagewadi Police, in this Case.

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

Cross Examination by learned PP

It is false to suggest that, On 23.10.2023, at about 7.45am in the morning when I was near my house situate at Hallihal, Accused Nos.1 to 5, 7 and 8 came near our residence on forming an unlawful assembly, armed with deadly weapons like Axe and Wooden clubs, started abusing us in filthy language, contending that, they want a Way in our agricultural land bearing Sy.No.29/1, to approach their respective residential units, wherein Accused No.1 assaulted

C.W.6/Ramappa with the Axe; Accused No.3 assaulted C.W.7/Laxman with the Axe; Accused Nos.2, 5, 7 and 8 assaulted me, my father/Mahadevappa/C.W.16 and Yamanappa/C.W.18 with wooden clubs, with an intention to cause our death; Accused Nos.2 and 5 assaulted Bharati/C.W.12 with their respective hands causing injuries; Accused No.1 with an intention to cause death of Ningappa/C.W.5 assaulted him with the Axe; Accused Nos.2 and 5 with an intention to outraged the modesty of Bharati/C.W.12, dragged and used Criminal force upon her, the villagers have rescued us from the hands of Accused persons; at that time of leaving the place the Accused person have extended life threat to us.

It is false to suggest that, we the injured person have taken treatment with Government Hospital Basavana Bagewadi and District Hospital, Vijayapura.

It is false to suggest that, for the said incidence I have lodged a Complaint as per Ex.P.1 with Basavana Bagewadi Police Station.

It is false to suggest that, I have given further Statement before DySP Basavana Bagewadi on 16.11.2023, contending that "ನಾನು ದಿನಾಂಕ: 23.10.2023 ----- ಪರ್ಯಾದಿ ನೀಡಿರುತ್ತೇನೆ". For identification, the said Statement is marked as Ex.P.2.

It is false to suggest that, I am deposing falsely in this case, since we have got compromised the matter with the Accused persons.

Cross-Examination by: Sri. SNA Adv., for Accused persons:

(Sri. SNA Adv for Accused persons submits that Accused persons have no cross examination towards P.W.1. Hence, Cross examination of P.W.1 by the Accused persons is taken as 'NIL'.)

Re-Examination: Nil.

(Typed to my dictation in the open Court)

R.O.I. & A.C.

(ABDUL-RAHIMAN .A. NANDGADI)
II Addl. District & Sessions & Spl.Judge,
VIJAYPURA.