

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

SESSIONS CASE NO.77/2024

CW No.18

PW No.19

Deposition of : Yamanappa Yaligod

Father Name : Gurappa

Age : 42 years

Occupation : Agriculture

Residence : Halihal

Duly Sworn on: 15/04/2026.

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

I know C.W.1/P.W.1, C.W.4/P.W.2, C.W.5/P.W.3, C.W.6/P.W.4, C.W.7/P.W.5, C.W.9/P.W.14, C.W.10/P.W.15, C.W.11, C.W.12/P.W.6, C.W.13/P.W.16, C.W.14/P.W.7, C.W.15/P.W.17, C.W.16/P.W.8, C.W.17/P.W.18 and C.W.19.

C.W.8/P.W.13 is my younger brother. C.W.16/P.W.8 is my Senior Uncle.

I know Accused persons present in the Open Court today.

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 not pacified the quarrel taken place inbetween them.

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 filed, 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 C.W.4/P.W.2, his 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 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, I have sustained minor injuries; but I have not taken any treatment in the Hospital.

It is false to suggest that, I have given Statement before Basavana Bagewadi Police on 15.11.2023, contending that, "ನಾನು ಈ ಮೇಲ್ಕಂಡ ವಿಳಾಸದಲ್ಲಿ ----- ನನ್ನ ಹೇಳಿಕೆ ನೀಡಿರುತ್ತೇನೆ". For identification, the said portion of the statement is marked as Ex.P.54.

It is false to suggest that, I am deposing falsely in this case, inorder 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.19. Hence, Cross examination of P.W.19 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,
VIJAYAPURA, At: VIJAYAPURA.**

SESSIONS CASE NO.77/2024

CW No.17

PW No.18

Deposition of : Basanagouda Buthali

Father Name : Rudrappa

Age : 60 years

Occupation : Agriculture

Residence : Halihal

Duly Sworn on: 15/04/2026.

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

C.W.9/PW.14 and C.W.10/P.W.15 are my sons.

I know C.W.1/P.W.1, C.W.4/P.W.2, C.W.5/P.W.3, C.W.6/P.W.4, C.W.7/P.W.5, C.W.8/P.W.13, C.W.11, C.W.12/P.W.6, C.W.13/PW.16, C.W.14/P.W.7, C.W.15/P.W.17, C.W.16/P.W.8, C.W.18 and 19.

I know Accused persons present in the Open Court today.

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 not pacified the quarrel taken place inbetween them.

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 C.W.4/P.W.2, his 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 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, I have given Statement before Basavana Bagewadi Police on 15.11.2023, contending that, "ನಾನು ಈ

ಮೇಲ್ಕಂಡ ವಿಳಾಸದಲ್ಲಿ ----- ನನ್ನ ಹೇಳಿಕೆ ನೀಡಿರುತ್ತೇನೆ". For identification, the said portion of the statement is marked as Ex.P.53.

It is false to suggest that, I am deposing falsely in this case, inorder 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.18. Hence, Cross examination of P.W.18 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,
VIJAYAPURA, At: VIJAYAPURA.**

SESSIONS CASE NO.77/2024

CW No.15

PW No.17

Deposition of : Anil Biradar
Father Name : Chandappa
Age : 25 years
Occupation : Agriculture
Residence : Halihal

Duly Sworn on: 15/04/2026.

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

I know C.W.1/P.W.1, C.W.4/P.W.2, C.W.5/P.W.3, C.W.6/P.W.4,
C.W.7/P.W.5, C.W.8/P.W.13, C.W.9/P.W.14, C.W.10/P.W.15, C.W.11,
C.W.12/P.W.6, C.W.13/PW.16, C.W.16/P.W.8, C.W.17 to 19.

C.W.14/P.W.7 is my mother.

I know Accused persons present in the Open Court today.

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 not
pacified the quarrel taken place inbetween them.

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 filed, 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 C.W.4/P.W.2, his 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 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, I have given Statement before Basavana Bagewadi Police on 12.11.2023, contending that, "ನಾನು ಈ

ಮೇಲ್ಕಂಡ ವಿಳಾಸದಲ್ಲಿ ----- ನನ್ನ ಹೇಳಿಕೆ ನೀಡಿರುತ್ತೇನೆ". For identification, the said portion of the statement is marked as Ex.P.52.

It is false to suggest that, I am deposing falsely in this case, inorder 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.17. Hence, Cross examination of P.W.17 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,
VIJAYAPURA, At: VIJAYAPURA.**

SESSIONS CASE NO.77/2024

CW No.13

PW No.16

Deposition of : Annakka Yaligod

Husband's Name : Laxman

Age : 29 years

Occupation : House hold work

Residence : Halihal

Duly Sworn on: 15/04/2026.

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

C.W.16/P.W.8 is my father-in-law, C.W.7/P.W.5 is my husband.

My father-in-law/C.W.16/P.W.8 have five sons viz.,
Sabanna/C.W.1, Ningappa/C.W.5, Hanamantaray, Ramappa/C.W.6
and my husband/C.W.7/P.W.5.

I know C.W.4/P.W.2, C.W.8/P.W.12, C.W.9/P.W.14,
C.W.10/P.W.15, C.W.11, C.W.12/P.W.6, C.W.14/P.W.7, C.W.15,
C.W.17 to C.W.19.

I know Accused persons present in the Open Court today.

Land of my father-in-law/C.W.16/P.W.8 is situate at Halihal
village, near the residential houses of the Accused persons.

There is no dispute with regard to the Way in the land of C.W.1/
P.W.1, inbetween us and the Accused persons.

Accused persons have neither abused us in filthy language; nor have caused assault upon us, nor extended life threat to us.

Now, two Axe/M.O.1 and M.O.2 and three Wooden Clubs/M.O.3 to 5 present in the Open Court are shown to the Witness and questioned him to identify them. Witness fails to identify the Material Objects/M.O.1 to 5.

Basavana Bagewadi Police have not enquired me in this Case; nor have recorded my Statement.

(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 true to suggest that, land bearing Sy.No.29 measuring 2 Acres 23 guntas situate at Halihal village is standing in the name of my father-in-law/Mahadevappa; and the land bearing Sy.No.29/1 measuring 2 Acres 17 guntas, situate at Halihal village is standing in the name of Yamanappa Gurappa Yalagod; and both these lands our Ancestral lands.

It is true to suggest that, the residential houses of the Accused persons are situated near our agricultural land.

I do not know whether houses of the Accused persons are located in our land, which was earlier belonging to us; which were given to the Accused persons by our Ancestors.

I do not know whether an approach road is located towards the Northern side of the houses of the Accused persons, to approach their residential houses; but the Accused persons were using the Road/Way which is available towards the Southern side of their residential houses.

It is false to suggest that, the Accused persons used to graze their Sheeps and Cattles in our land; and used to destroy our Crops; when it was questioned to Accused No.1, he had raised quarrel with us; and had threatened to file Atrocity Case against us.

I do not know whether, Accused persons were trying to lay a Road/Way in our land, in order to approach their residential houses; we on filing a Civil suit at O.S No.8/2023 before the Civil Court at Basavana Bagewadi, on obtaining the Stay have restrained the Accused persons from forming the Way; and said Civil Suit is still pending for adjudication; due to which Accused No.1 and his family members had nurtured vengeance upon us.

It is false to suggest that, on 23.10.2023 at about 7.45am in the morning, when Accused No.7 was taking his Bullock Cart from our land, at that time I have restrained him from taking his Bullock Cart from our land; instructed him not to graze Sheeps and cattles in our land, as they destroying the Crops; for which Accused No.7 replied that, they are in need of a Way to approach their residential houses, from our Agriculture land; and if we restrained them, he will bring his people and caused assault upon us by taking away our life.

It is false to suggest that, subsequently, we all the family members went towards the Bund, situate on the Northern side of our land, wherein Accused persons on forming unlawful assembly came to our land, armed with Axes and Clubs; abused in filthy language, contending that, whether we have come to question them to their residence; and extended life threat, wherein Accused No.1 assaulted C.W.6/P.W.4 with the Axe on his Head, causing cut and bleeding injuries; Accused No.1 also assaulted Ningappa/C.W.5 with the Axe on the Head; Accused No.3 assaulted Laxman/C.W.7 with the Axe on his

Head; Accused No.4 assaulted C.W.5/P.W.3 with the Club on his Right Arm; and other Accused persons have assaulted C.W.16/P.W.8 and his sons; Accused No.2 and Accused No.5 caught hold Saree of my sister-in-law/Bharati/C.W.12, outraged her modesty and assaulted her with their hands; myself, C.W.8/P.W.13, C.W.9/P.W.14, C.W.10/P.W.15, C.W.12/P.W.6, C.W.14/P.W.7, C.W.15, C.W.16/P.W.8, C.W.17 to 19, went and pacified the quarrel and rescued them from the hands of the Accused persons.

It is false to suggest that, I had sustained minor injuries, as I was assaulted with hand; but I have not taken any treatment in the Hospital.

It is false to suggest that, due to the said assault, injured persons were admitted to District Government Hospital, Vijayapura; and then to BLDE, Hospital, Vijayapura, for further treatment.

It is false to suggest that, I am aware that, Sabanna/C.W.1 had lodged the Complaint against the Accused persons.

It is false to suggest that, I have given Statement before Basavana Bagewadi Police on 12.11.2023 contending that, "ನಾನು ಈ ಮೇಲ್ಕಂಡ ವಿಳಾಸದಲ್ಲಿ ----- ನನ್ನ ಹೇಳಿಕೆ ನೀಡಿರುತ್ತೇನೆ". For identification, the said Statement is marked as Ex.P.51.

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.16. Hence, Cross examination of P.W.16 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,
VIJAYAPURA, At: VIJAYAPURA.**

SESSIONS CASE NO.77/2024

CW No.10

PW No.15

Deposition of : Hanamagouda Bhutali
Father Name : Basanagouda
Age : 22 years
Occupation : Agriculture
Residence : Halihal

Duly Sworn on: 15/04/2026.

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

C.W.17 is my father, C.W.9/P.W.14 is my elder brother.

I know C.W.1/P.W.1, C.W.4/P.W.2, C.W.5/P.W.3, C.W.6/P.W.4,
C.W.7/P.W.5, C.W.8/P.W.12, C.W.11, C.W.12/P.W.6, C.W.13, C.W.14/
P.W.7, C.W.15, C.W.16/P.W.8, C.W.18 and C.W.19.

I know Accused persons present in the Open Court today.

Land of C.W.16/P.W.8 is situate at Halihal village, near the
residential houses of the Accused persons.

There is no dispute with regard to the Way in the land of C.W.1/
P.W.1, inbetween us and the Accused persons.

Accused persons have neither abused us in filthy language; nor
have caused assault upon us, nor extended life threat to us.

Now, two Axe/M.O.1 and M.O.2 and three Wooden Clubs/M.O.3 to 5 present in the Open Court are shown to the Witness and questioned him to identify them. Witness fails to identify the Material Objects/M.O.1 to 5.

Basavana Bagewadi Police have not enquired me in this Case; nor have recorded my Statement.

(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 true to suggest that, land bearing Sy.No.29 measuring 2 Acres 23 guntas situate at Halihal village is standing in the name of Mahadevappa; and the land bearing Sy.No.29/1 measuring 2 Acres 17 guntas, situate at Halihal village is standing in the name of Yamanappa Gurappa Yalagod; and both these lands our Ancestral lands.

It is true to suggest that, the residential houses of the Accused persons are situated near our agricultural land.

I do not know whether houses of the Accused persons are located in our land, which was earlier belonging to us; which were given to the Accused persons by our Ancestors.

I do not know whether an approach road is located towards the Northern side of the houses of the Accused persons, to approach their residential houses; but the Accused persons were using the Road/Way which is available towards the Southern side of their residential houses.

It is false to suggest that, the Accused persons used to graze their Sheep and Cattle in our land; and used to destroy our Crops;

when it was questioned to Accused No.1, he had raised quarrel with us; and had threatened to file Atrocity Case against us.

I do not know whether, Accused persons were trying to lay a Road/Way in our land, in order to approach their residential houses; we on filing a Civil suit at O.S No.8/2023 before the Civil Court at Basavana Bagewadi, on obtaining the Stay have restrained the Accused persons from forming the Way; and said Civil Suit is still pending for adjudication; due to which Accused No.1 and his family members had nurtured vengeance upon us.

It is false to suggest that, on 23.10.2023 at about 7.45am in the morning, when Accused No.7 was taking his Bullock Cart from our land, at that time I have restrained him from taking his Bullock Cart from our land; instructed him not to graze Sheeps and cattles in our land, as they destroying the Crops; for which Accused No.7 replied that, they are in need of a Way to approach their residential houses, from our Agriculture land; and if we restrained them, he will bring his people and caused assault upon us by taking away our life.

It is false to suggest that, subsequently, we all the family members went towards the Bund, situate on the Northern side of our land, wherein Accused persons on forming unlawful assembly came to our land, armed with Axes and Clubs; abused in filthy language, contending that, whether we have come to question them to their residence; and extended life threat, wherein Accused No.1 assaulted C.W.6/P.W.4 with the Axe on his Head, causing cut and bleeding injuries; Accused No.1 also assaulted Ningappa/C.W.5 with the Axe on the Head; Accused No.3 assaulted Laxman/C.W.7 with the Axe on his Head; Accused No.4 assaulted C.W.5/P.W.3 with the Club on his Right Arm; and other Accused persons have assaulted C.W.16/P.W.8 and his

sons; Accused No.2 and Accused No.5 caught hold Saree of his daughter-in-law/Bharati/C.W.12, outraged her modesty and assaulted her with their hands; myself, C.W.8/P.W.13, C.W.9/P.W.14, C.W.13 to 15, 17 to 19, went and pacified the quarrel and rescued them from the hands of the Accused persons.

It is false to suggest that, due to the said assault, injured persons were admitted to District Government Hospital, Vijayapura; and then to BLDE, Hospital, Vijayapura, for further treatment.

It is false to suggest that, I am aware that, Sabanna/C.W.1 had lodged the Complaint against the Accused persons.

It is false to suggest that, I have given Statement before Basavana Bagewadi Police on 11.11.2023 contending that, " ನಾನು ಈ ಮೇಲ್ಕಂಡ ವಿಳಾಸದಲ್ಲಿ ----- ನನ್ನ ಹೇಳಿಕೆ ನೀಡಿರುತ್ತೇನೆ". For identification, the said Statement is marked as Ex.P.50.

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.15. Hence, Cross examination of P.W.15 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,
VIJAYAPURA, At: VIJAYAPURA.**

SESSIONS CASE NO.77/2024

CW No.09

PW No.14

Deposition of : Rudrappagouda Bhutali

Father Name : Basanagouda

Age : 25 years

Occupation : Driver

Residence : Halihal

Duly Sworn on: 15/04/2026.

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

C.W.17 is my father, C.W.10 is my younger brother.

I know C.W.1/P.W.1, C.W.4/P.W.2, C.W.5/P.W.3, C.W.6/P.W.4, C.W.7/P.W.5, C.W.8/P.W.12, C.W.11, C.W.12/P.W.6, C.W.13, C.W.14/P.W.7, C.W.15, C.W.16/P.W.8, C.W.18 and C.W.19.

I know Accused persons present in the Open Court today.

Land of C.W.16/P.W.8 is situate at Halihal village, near the residential houses of the Accused persons.

There is no dispute with regard to the Way in the land of C.W.1/P.W.1, inbetween us and the Accused persons.

Accused persons have neither abused us in filthy language; nor have caused assault upon us, nor extended life threat to us.

Now, two Axe/M.O.1 and M.O.2 and three Wooden Clubs/M.O.3 to 5 present in the Open Court are shown to the Witness and questioned him to identify them. Witness fails to identify the Material Objects/M.O.1 to 5.

Basavana Bagewadi Police have not enquired me in this Case; nor have recorded my Statement.

(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 true to suggest that, land bearing Sy.No.29 measuring 2 Acres 23 guntas situate at Halihal village is standing in the name of Mahadevappa; and the land bearing Sy.No.29/1 measuring 2 Acres 17 guntas, situate at Halihal village is standing in the name of Yamanappa Gurappa Yalagod; and both these lands our Ancestral lands.

It is true to suggest that, the residential houses of the Accused persons are situated near our agricultural land.

I do not know whether houses of the Accused persons are located in our land, which was earlier belonging to us; which were given to the Accused persons by our Ancestors.

I do not know whether an approach road is located towards the Northern side of the houses of the Accused persons, to approach their residential houses; but the Accused persons were using the Road/Way which is available towards the Southern side of their residential houses.

It is false to suggest that, the Accused persons used to graze their Sheep and Cattles in our land; and used to destroy our Crops;

when it was questioned to Accused No.1, he had raised quarrel with us; and had threatened to file Atrocity Case against us.

I do not know whether, Accused persons were trying to lay a Road/Way in our land, in order to approach their residential houses; we on filing a Civil suit at O.S No.8/2023 before the Civil Court at Basavana Bagewadi, on obtaining the Stay have restrained the Accused persons from forming the Way; and said Civil Suit is still pending for adjudication; due to which Accused No.1 and his family members had nurtured vengeance upon us.

It is false to suggest that, on 23.10.2023 at about 7.45am in the morning, when Accused No.7 was taking his Bullock Cart from our land, at that time I have restrained him from taking his Bullock Cart from our land; instructed him not to graze Sheeps and cattles in our land, as they destroying the Crops; for which Accused No.7 replied that, they are in need of a Way to approach their residential houses, from our Agriculture land; and if we restrained them, he will bring his people and caused assault upon us by taking away our life.

It is false to suggest that, subsequently, we all the family members went towards the Bund, situate on the Northern side of our land, wherein Accused persons on forming unlawful assembly came to our land, armed with Axes and Clubs; abused in filthy language, contending that, whether we have come to question them to their residence; and extended life threat, wherein Accused No.1 assaulted C.W.6/P.W.4 with the Axe on his Head, causing cut and bleeding injuries; Accused No.1 also assaulted Ningappa/C.W.5 with the Axe on the Head; Accused No.3 assaulted Laxman/C.W.7 with the Axe on his Head; Accused No.4 assaulted C.W.5/P.W.3 with the Club on his Right Arm; and other Accused persons have assaulted C.W.16/P.W.8 and his

sons; Accused No.2 and Accused No.5 caught hold Saree of his daughter-in-law/Bharati/C.W.12, outraged her modesty and assaulted her with their hands; myself, C.W.8/P.W.13, C.W.10, 13 to 15, 17 to 19, went and pacified the quarrel and rescued them from the hands of the Accused persons.

It is false to suggest that, due to the said assault, injured persons were admitted to District Government Hospital, Vijayapura; and then to BLDE, Hospital, Vijayapura, for further treatment.

It is false to suggest that, I am aware that, my cousin brother/Sabanna/C.W.1 had lodged the Complaint against the Accused persons.

It is false to suggest that, I have given Statement before Basavana Bagewadi Police on 11.11.2023 contending that, " ನಾನು ಈ ಮೇಲ್ಕಂಡ ವಿಳಾಸದಲ್ಲಿ ----- ನನ್ನ ಹೇಳಿಕೆ ನೀಡಿರುತ್ತೇನೆ". For identification, the said Statement is marked as Ex.P.49.

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.14. Hence, Cross examination of P.W.14 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,
VIJAYAPURA, At: VIJAYAPURA.**

SESSIONS CASE NO.77/2024

CW No.08

PW No.13

Deposition of : Bhimanagouda Yaligod

Father Name : Gurappa

Age : 27 years

Occupation : Agriculture

Residence : Halihal

Duly Sworn on: 15/04/2026.

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

I know C.W.1/P.W.1, C.W.4/P.W.2, C.W.5/P.W.3, C.W.6/P.W.4,
C.W.7/P.W.5, C.W.9 to 11, C.W.12/P.W.6, C.W.13, C.W.14/P.W.7,
C.W.15, C.W.16/P.W.8, C.W.17 to C.W.19.

C.W.16/P.W.8 is my senior Uncle.

I know Accused persons present in the Open Court today.

Land of my Senior Uncle/C.W.16/P.W.8 is situate at Halihal
village, near the residential houses of the Accused persons.

There is no dispute with regard to the Way in the land of C.W.1/
P.W.1, inbetween us and the Accused persons.

Accused persons have neither abused us in filthy language; nor
have caused assault upon us, nor extended life threat to us.

Now, two Axe/M.O.1 and M.O.2 and three Wooden Clubs/M.O.3 to 5 present in the Open Court are shown to the Witness and questioned him to identify them. Witness fails to identify the Material Objects/M.O.1 to 5.

Basavana Bagewadi Police have not enquired me in this Case; nor have recorded my Statement.

(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 true to suggest that, land bearing Sy.No.29 measuring 2 Acres 23 guntas situate at Halihal village is standing in the name of my Senior Uncle/Mahadevappa; and the land bearing Sy.No.29/1 measuring 2 Acres 17 guntas, situate at Halihal village is standing in the name of Yamanappa Gurappa Yalagod; and both these lands our Ancestral lands.

It is true to suggest that, the residential houses of the Accused persons are situated near our agricultural land.

I do not know whether houses of the Accused persons are located in our land, which was earlier belonging to us; which were given to the Accused persons by our Ancestors.

I do not know whether an approach road is located towards the Northern side of the houses of the Accused persons, to approach their residential houses; but the Accused persons were using the Road/Way which is available towards the Southern side of their residential houses.

It is false to suggest that, the Accused persons used to graze their Sheeps and Cattles in our land; and used to destroy our Crops; when it was questioned to Accused No.1, he had raised quarrel with us; and had threatened to file Atrocity Case against us.

I do not know whether, Accused persons were trying to lay a Road/Way in our land, in order to approach their residential houses; we on filing a Civil suit at O.S No.8/2023 before the Civil Court at Basavana Bagewadi, on obtaining the Stay have restrained the Accused persons from forming the Way; and said Civil Suit is still pending for adjudication; due to which Accused No.1 and his family members had nurtured vengeance upon us.

It is false to suggest that, on 23.10.2023 at about 7.45am in the morning, when Accused No.7 was taking his Bullock Cart from our land, at that time I have restrained him from taking his Bullock Cart from our land; instructed him not to graze Sheeps and cattles in our land, as they destroying the Crops; for which Accused No.7 replied that, they are in need of a Way to approach their residential houses, from our Agriculture land; and if we restrained them, he will bring his people and caused assault upon us by taking away our life.

It is false to suggest that, subsequently, we all the family members went towards the Bund, situate on the Northern side of our land, wherein Accused persons on forming unlawful assembly came to our land, armed with Axes and Clubs; abused in filthy language, contending that, whether we have come to question them to their residence; and extended life threat, wherein Accused No.1 assaulted C.W.6/P.W.4 with the Axe on his Head, causing cut and bleeding injuries; Accused No.1 also assaulted Ningappa/C.W.5 with the Axe on the Head; Accused No.3 assaulted Laxman/C.W.7 with the Axe on his

Head; Accused No.4 assaulted C.W.5/P.W.3 with the Club on his Right Arm; and other Accused persons have assaulted C.W.16/P.W.8 and his sons; Accused No.2 and Accused No.5 caught hold Saree of his daughter-in-law/Bharati/C.W.12, outraged her modesty and assaulted her with their hands; myself, C.W.9, 10, 13 to 15, 17 to 19, went and pacified the quarrel and rescued them from the hands of the Accused persons.

It is false to suggest that, even I had sustained minor injuries, but I did not take treatment in any Hospital.

It is false to suggest that, due to the said assault, injured persons were admitted to District Government Hospital, Vijayapura; and then to BLDE, Hospital, Vijayapura, for further treatment.

It is false to suggest that, I am aware that, my cousin brother/Sabanna/C.W.1 had lodged the Complaint against the Accused persons.

It is false to suggest that, I have given Statement before Basavana Bagewadi Police on 11.11.2023 contending that, " ನಾನು ಈ ಮೇಲ್ಕಂಡ ವಿಳಾಸದಲ್ಲಿ, ----- ನನ್ನ ಹೇಳಿಕೆ ನೀಡಿರುತ್ತೇನೆ". For identification, the said Statement is marked as Ex.P.48.

It is false to suggest that, I am deposing falsely in this case, inorder 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.13. Hence, Cross examination of P.W.13 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,
VIJAYAPURA, At: VIJAYAPURA.**

SESSIONS CASE NO.77/2024

CW No.30

PW No.12

Deposition of : Khachu Walikar
Father Name : Bandenawaz
Age : 35 years
Occupation : PSI, Gokak Rural Police Station
Residence : Gokak

Duly Sworn on: 15/04/2026.

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

I was serving as PSI at Basavana Bagewadi Police Station from 18.10.2023 to 18.11.2023.

On 23.10.2023, when I was serving as SHO of Basavana Bagewadi Police Station, C.W.1/P.W.1 came with a handwritten Complaint and filed the same before me at 11.45am in the morning. On going through contents of the said Complaint, I have registered the same at Basavana Bagewadi P.S. Cr.No.328/2023 for offences punishable U/Secs.143, 147, 148, 307, 324, 354, 504 R/w. Sec.149 of IPC; and sent the FIR to the Jurisdictional Magistrate through PC-791/ C.W.29.

Now I see the said Complaint, which is already marked as Ex.P.1. On identification signatures of the witness are marked as Ex.P.1(b) and Ex.P.1(c).

On identification, FIR is marked as Ex.P.43, signature of the witness is marked as Ex.P.43(a).

On the same day, I have visited the spot of incident, as per the spot shown by C.W.4/P.W.2, I have conducted the Spot Mahazar as per Ex.P.3, got drawn the Sketch, got clicked two Positive Photographs as per Ex.P.4 and Ex.P.5; seized two Axes and Three Wooden Clubs, in the presence of two panchas viz., C.W.2/P.W.10 and C.W.3/P.W.11; the said Mahazar proceedings were conducted inbetween 4.45pm to 5.45pm in the evening. On identification, signature of the witness on the Spot Mahazar/Ex.P.3 is marked as Ex.P.3(d).

On the same day, I have filed P.F. in respect of seized articles before the Jurisdictional Magistrate.

I can identify the seized articles.

Now, M.O.1 and M.O.2/Axe, M.O.3 to M.O.5/Three Wooden Clubs present in the Open Court are shown to the Witness and questioned him to identify them. Witness identifies them.

On identification, Sketch is marked as Ex.P.44, signature of the witness is marked as Ex.P.44(a).

On the same day, I have recorded the Statement of C.W.4/P.W.2 as per Ex.P.10.

On 24.10.2023, C.W.11 has produced the Clothes of injured before me at Basavana Bagewadi Police Station, for which I have seized the said clothes viz., blood stained White colour half Baniyan belonging to C.W.6, blood stained White colour full sleeves Shirt

belonging to C.W.5 and blood stained Pink colour half sleeves T-Shirt belonging to C.W.7, by drawing the Seizure Mahazar as per Ex.P.38, got clicked Positive Photographs as per Ex.P.39 to 42, in the presence of two panchas viz., C.W.2/P.W.10 and C.W.3/P.W.11; the said Mahazar proceedings were conducted inbetween 1.00pm to 1.45pm in the afternoon. On identification, signature of the witness on the Seizure Mahazar/Ex.P.38 is marked as Ex.P.38(c).

On the same day, I have filed P.F. in respect of seized articles before the Jurisdictional Magistrate.

I can identify the said seized articles.

Witness identifies Baniyan/M.O.6, T-Shirt/M.O.7 and Full Sleeves Shirt/M.O.8 present in the Open Court today.

On the same day, I have secured Sec.65B Certificate alongwith CD from CW-20/CHC-1384, as per Ex.P.12 and Ex.P.12(A). On identification, signature of the witness is marked as Ex.P.12(a).

On 25.10.2023, I have issued Requisition to the District Government Hospital, Vijayapura to furnish the information with regard to injured Accused persons.

On 27.10.2023, I have secured the Seriological Report of C.W.5/P.W.3, as per Ex.P.25; and of C.W.6/P.W.4 as per Ex.P.29. On identification, signatures of the witness are marked as Ex.P.25(a) and Ex.P.29(a).

On 28.10.2023, I have secured the Seriological Report of C.W.7/P.W.5 from Sadashiv Diagnostics, as per Ex.P.33. On identification, signature of the witness is marked as Ex.P.33(a).

On 03.11.2023, I have issued Requisition to the BLDE Hospital, Vijayapura and District Government Hospital, Vijayapura to furnish the Medical Records pertaining to C.W.5 to C.W.7.

On 04.11.2023, I have sent the seized articles/M.O.1, M.O.2, M.O.6 to M.O.8 for Scientific investigation to RFSL Belagavi, through CPC-1866/C.W.26. On the same day, I have secured the Acknowledgment from RFSL Belagavi. On identification, the said Acknowledgment is marked as Ex.P.45, signature of the witness is marked as Ex.P.45(a). CPC-1866/C.W.26 has submitted his Report. On identification, said Report is marked as Ex.P.46, signature of the witness is marked as Ex.P.46(a).

On 11.11.2023, I have recorded the Statements of C.W.4/P.W.2, C.W.5/P.W.3 as per Ex.P.11, C.W.6/P.W.4 as per Ex.P.18 and C.W.7/P.W.5 as per Ex.P.21.

On the same day, I have recorded the further Statement of C.W.11.

On 12.11.2023, I have recorded the Statements of C.W.12/P.W.6 as per Ex.P.22, C.W.13, C.W.14/P.W.14 as per Ex.P.23, and C.W.15.

On the same day, I have secured the Wound Certificates of C.W.5/P.W.3 as per Ex.P.27, C.W.6/P.W.4 as per Ex.P.31 from BLDE Hospital, Vijayapura as per Ex.P.27 and Ex.P.31. On identification, signatures of the witness are marked as Ex.P.27(a) and Ex.P.31(a).

On 15.11.2023, I have recorded the Statements of C.W.16/PW.8 as per Ex.P.24, C.W.17 and C.W.18.

On 16.11.2023, on the basis of oral instructions by DySP., Basavana Bagewadi, I have handover the Charge of this Case for further investigation to it, i.e.C.W.31.

On 23.10.2023, I have secured Report from CPC-791/C.W.29, for transmitting FIR. On identification, the said Report is marked as Ex.P.47, signature of the witness is marked as Ex.P.47(a).

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

It is false to suggest that, I have not conducted any Preliminary enquiry, at the time of registering the Crime; and falsely registered the Crime against the Accused persons.

It is false to suggest that, I am deposing falsely that, as per the spot shown by C.W.4/P.W.2, I have conducted the Spot-cum-Seizure Mahazar as per Ex.P.3 and seized five articles as per M.O.1 to M.O.5, in the presence of two panchas, as contended by me in my examination in chief.

It is false to suggest that, I am deposing falsely that, C.W.11 has presented the clothes of injured witnesses, viz., C.W.5/P.W.3, C.W.6/P.W.4 and C.W.7/P.W.5, as per M.O.6 to M.O.8; the said clothes have been seized by me, by drawing the Seizure Mahazar as per Ex.P.38, in the presence of two panchas, as contended by me in my examination in chief.

It is false to suggest that, I am deposing falsely that, I have recorded the Statements of Prosecution witnesses, as contended by me in my examination in chief.

It is false to suggest that, I am deposing falsely that, I have secured Sec.65B Certificate as per Ex.P.12 and C.D. as per Ex.P.12A from C.W.20, Seriological Reports as per Ex.P.25 and Ex.P.29, Wound Certificates as per Ex.P.27 and Ex.P.31, as contended by me in my examination in chief.

It is false to suggest that, I am deposing falsely that, I have secured the Report from C.W.29 as per Ex.P.27, Acknowledgment from RFSL Belagavi as per Ex.P.45 and Report from C.W.26 as per Ex.P.46, as contended by me in my examination in chief.

It is false to suggest that, I have not conducted the investigation properly in this Case.

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.