

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

SESSIONS CASE NO.77/2024

CW No.19

PW No.21

Deposition of : Pundalik Chavan

Father Name : Subbu

Age : 55 years

Occupation : Agriculture

Residence : Kodaganur

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):**

My agricultural land is situated within the limits of Halihal village in Nidagundi Taluka. Daily I am visiting my agricultural field.

I know C.W.1/P.W.1, his father and other family members.

Land of C.W.1/P.W.1 is situated abutting Halihal village.

I know Accused persons present in the Open Court today, as they are from Halihal village.

Residential houses of Accused No.1 and his other family members and members of his Caste are situated abutting the land of C.W.1/P.W.1, situate at Halihal village.

I do not know as to whom the land on which the residential houses of the Accused No.1 and his Caste persons are erected.

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.

Now Axes/M.O.1 and M.O.2; Three Wooden Clubs/M.O.3 to M.O.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.

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

I do not know whether the Ancestors of C.W.1/P.W.1 had gifted their land to Accused No.1 and members of his Caste to erect their residential houses.

I do not know whether the residential houses of Accused No.1 and the members of his Caste were having the Way to their residential units from their Northern side, but they were using the Way to approach the Main Road from their Southern side by using the land of C.W.1/P.W.1; and thereby they destroying the crop grown by C.W.1/P.W.1 in his land.

I do not know whether on several occasions there were Conciliation talks inbetween C.W.1/P.W.1 and his family members; and the Accused persons, wherein Accused persons were advised; Accused persons had extended threat to C.W.1/P.W.1 and his family members contending to lodge a Atrocity Complaint against them.

I do not know whether C.W.1/P.W.1 had filed a Civil Suit against Accused persons on the file of the Civil Court, Basavana Bagewadi, due to which Accused persons had nurtured vengeance against C.W.1 and his family members and his other supporters.

It is false to suggest that, on 23.10.2023 at about 7.45am in the morning, when I was proceeding towards my agricultural field, near the house of C.W.1/P.W.1, at that time 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 to her and outraged her modesty; 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, at that time myself and other villagers of Halihal village pacified the quarrel and got 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 21.11.2023, contending that, "ನಮ್ಮ ಸ್ವಂತ ಊರು ----- ನನ್ನ ಹೇಳಿಕೆ ನೀಡಿರುತ್ತೇನೆ". For identification, the said portion of the statement is marked as Ex.P.56.

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.21. Hence, Cross examination of P.W.21 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.11

PW No.20

Deposition of : Yallamma Avanni
Father Name : Bhimanagouda
Age : 42 years
Occupation : Coolie
Residence : Vandal, Tq: Nidagundi

Duly Sworn on: 15/06/2026.

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

C.W.1/P.W.1 and his father/Mahadevappa are my relatives through my mother.

I know C.W.4 to C.W.10, C.W.12 to C.W.19.

I know Accused persons present in the Open Court today, as they are from my village.

Land of C.W.1/P.W.1 and his father/Mahadevappa is located abutting to our village.

I do not know anything about the incident in this Case.

I do not know as to whether Accused persons have assaulted C.W.1/P.W.1, nor I have transmitted the clothes of C.W.1/P.W.1 and handed over to the Basavana Bagewadi Police.

Now Seizure Mahazar/Ex.P.38 is shown to the Witness and questioned her to identify, whether the said document contains her Signature. Witness answers in the Affirmative. On identification,

Signature of the Witness is marked as Ex.P.38(d). Witness contends that she do not know the contents of the Seizure Mahazar/Ex.P.38.

Now Positive Photographs/Ex.P.39 to Ex.P.42 are shown to the Witness and questioned her to identify whether she is seen in the said Photographs. Witness answers in the Affirmative. Witness contends that, she do not know as to for what reason the said Positive Photographs/Ex.P.39 to Ex.P.42 have been got clicked.

Now Half Baniyan/M.O.6, Full Shirt/M.O.8 and Half sleeves T-Shirt/M.O.7 present in the Open Court are shown to the Witness and questioned her to identify them. Witness fails to identify the Material Objects/M.O.6 to M.O.8.

Basavana Bagewadi Police have not enquired me in this Case; and 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 false to suggest that, on 24.10.2023, I have presented the blood stained clothes of C.W.6, 5 and 7, viz., Half Baniyan/M.O.6, Full sleeves Shirt/M.O.8 and Half sleeves T-Shirt/M.O.7 before Basavana Bagewadi Police, at Basavana Bagewadi Police Station, in the presence of two panchas viz., C.W.2/P.W.10 and C.W.3/P.W.11, for which Basavana Bagewadi Police have conducted Seizure Mahazar as per Ex.P.38, got clicked Positive Photographs as per Ex.P.39 to Ex.P.42, in the presence of the said witnesses, the said Mahazar proceedings were conducted inbetween 1.00pm to 1.45pm in the afternoon.

It is false to suggest that, clothes of C.W.6, C.W.5 and C.W.7 as per M.O.6, M.O.8 and M.O.7 were handed over to me at Civil Hospital, Vijayapura to handover the same to Basavana Bagewadi Police; accordingly, I have taken the said clothes and handed over to Basavana Bagewadi Police.

It is false to suggest that, I have given Statement before Basavana Bagewadi Police on 11.11.2023 contending that, "ನಾನು ಈ ಮೇಲ್ಕಂಡ ವಿಳಾಸದಲ್ಲಿ ----- ಹೇಳಿಕೆಯನ್ನು ನೀಡಿರುತ್ತೇನೆ". For identification, the said Statement is marked as Ex.P.55.

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.20. Hence, Cross examination of P.W.20 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.