

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

SPL.C SC.ST NO.49/2023
CW No.07
PW No.10

Deposition of : Shivappa Walikar
Father Name : Kenchappa
Age : 27 years
Occupation : Agriculture
Residence : Nandyal

Duly Sworn on: 08/04/2026.

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

I know C.W.1/P.W.1, C.W.4/P.W.2, C.W.8/P.W.4, C.W.5, C.W.6/P.W.3, C.W.9/P.W.5, C.W.10, as they are from my village.

C.W.11 is my father. He is no more.

I know Accused Nos.1 to 4 present in the Open Court today, as they are from my village.

C.W.1/P.W.1 belongs to Hindu (Madar) Caste; Accused persons belongs to Hindu (Kuruba) Caste.

About 2 to 2½ years back, a marriage of Sharanabasu/C.W.4 was scheduled; and my brother/Sharanabasu/C.W.4 and C.W.1/P.W.1 had gone to Vadavadagi village to get scheduled marriage Pandal, on Motor-cycle; when they were returning back to our village at about 7.00 to 7.30pm in the evening, when they were Sharan Somanal-Nandyal Road, at that time, Accused Nos.1 to 4 assaulted my brother/Sharanabasu/C.W.4/P.W.2, with Iron Pick Axe and with Clubs; for

which my brother/Sharanabasu/C.W.4/P.W.2 had sustained injuries on Left Leg and Head; thereafter Mallikarjun/C.W.1/P.W.1 came to our village and informed the event of assault to us; even he informed that, the Accused persons have abused C.W./P.W.1 in filthy language on taking the name of his Caste; the Accused persons have assaulted my brother/Sharanabasu/C.W.4/P.W.2 since, he had spit on looking to the Accused persons. On hearing the said news, we went near the land of Shivaputra Walikar/Accused No.2 located besides Sharana Somanal-Nandyal Road, wherein Sharanabasu was lying injured; I have seen Sharanabasu/C.W.4/P.W.2, he had sustained injuries and he was unconscious; thereafter, he was shifted to Government Hospital, Basavana Bagewadi, then to BLDE Hospital, Vijayapura, for further treatment.

On gaining consciousness, I enquired my brother/Sharanabasu/C.W.4/P.W.2, for which he informed me that, since he had spit on seeing the Accused near Nandyal Bus Stand, so the Accused persons have assaulted him.

Basavana Bagewadi Police have enquired me in this Case and recorded my Statement.

Cross-Examination by: Sri. MSH Adv., for Accused Nos.1 to 4:

Sharanbasu/C.W.4/P.W.2 is my cousin brother as he is the son of my Senior Uncle/Hanumanth Walikar.

It is false to suggest that, my senior Uncle/Hanumanth Walikar is a Political leader in Nandyal village. Witness volunteers that, he is an agriculturist.

It is false to suggest that, C.W.1/P.W.1 and his family members were canvassing for Rajugowda Patil in our village, for MLA election.

It is true to suggest that, Accused persons belong to a Party Opposite to the party led by Rajugowda Patil.

It is false to suggest that, Complainant/C.W.1/P.W.1 and C.W.4/P.W.2, C.W.8/P.W.4 were having vengeance against the Accused persons, due to political rivalry.

It is true to suggest that, Accused Nos.1 to 4 are our cousin uncles.

I have not seen any incident personally.

I do not remember the registration of the Cruiser Vehicle as well as I do not know the name of the said Cruiser vehicle, which I contend to have taken to the spot of incident, on receipt of the information of C.W.1/P.W.1.

It is false to suggest that, I am deposing falsely that, I have never gone to the spot of incident; nor incident has occurred against C.W.4/P.W.2 through the Accused persons.

It is false to suggest that, I am deposing falsely that, C.W.4/P.W.2 had sustained injuries on his Head, Left Hand and Left Leg.

It is false to suggest that, I am deposing falsely, since, C.W.4/P.W.2 happens to be my cousin brother.

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.**

SPL.C SC.ST NO.49/2023
CW No.02
PW No.09

Deposition of : Parasappa Madar
Father Name : Bheemappa
Age : 40 years
Occupation : Agriculture
Residence : Nandyal

Duly Sworn on: 08/04/2026.

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

I know C.W.1/P.W.1 and C.W.3.

About 2 ½ years back, myself and C.W.3 were called by DySP., Basavana Bagewadi on Somanal Road, Nandyal village, wherein quarrel had taken place. Police have conducted Panchanama in my presence; the said place was shown by C.W.1/P.W.1. Police have seized Iron Pick Axe, Broken Wooden Clubs and One Shirt from the said Spot; the said Mahazar proceedings were conducted inbetween 11.00 to 12.30pm in the afternoon.

Now Spot-cum-Seizure Mahazar/Ex.P.5 is shown to the Witness and questioned him to identify, whether the said document contains his Signature. Witness answers in the Affirmative. On identification, Signature of the Witness on the Spot-cum-Seizure Mahazar/Ex.P.5 is marked as Ex.P.5(a).

Now three Positive Photographs/Ex.P.6 to Ex.P.8 are shown to the Witness and questioned him to identify whether he is seen in the said Photographs. Witness answers in the Affirmative.

Apart from the said Panchanama, Police have not conducted any Panchanama in my presence.

Now, Spot Mahazar/Ex.P.10 is shown to the Witness and questioned him to identify, whether the said document contains his Signature. Witness answers in the Affirmative. On identification, Signature of the Witness is marked as Ex.P.10(a). Witness contends that he do not know the contents of the Spot Mahazar/Ex.P.10.

Now, M.O.1/Pick Axe, M.O.2/Club and M.O.3/Shirt present in the Open Court are shown to the Witness and questioned him to identify them. Witness identifies M.O.1 to M.O.3.

(The Learned Spl. 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 have not verified the timings of conducting the Panchanam as per Ex.P.5, as 10.30 am to 11.15am.

It is false to suggest that, on the same day, C.W.1 had taken the we the Panchas and the Police near Nandyal Bus Stand and shown the spot, contending that, C.W.4/P.W.2 has accidentally split near the said spot, wherein Accused No.2 and Accused No.3 were present; for which DySP., Basavana Bagewadi Police Sub-Division has conducted the Spot Mahazar on the said spot, in my presence as well as in the presence of C.W.3; the said Mahazar proceedings were conducted inbetween 1.30

to 2.15pm in the afternoon.

It is false to suggest that, I am deposing falsely that, no any Mahazar proceedings were conducted in my presence near Nandyal Bus Stand as per Ex.P.10.

Cross-Examination by: Sri. MSH Adv., for Accused Nos.1 to 4:

It is true to suggest that, C.W.1/P.W.1 is my relative.

Apart from this Case, I have not participated as a Pancha to any Mahazar proceedings.

I do not have any knowledge as to how Mahazar proceedings are conducted.

I have not narrated the facts, inorder to scribe the Mahazar proceedings as per Ex.P.5 and Ex.P.10.

I do not know the contents of Mahazars/Ex.P.5 and Ex.P.10.

It is true to suggest that, I have affixed my signatures on the Mahazars/Ex.P.5 and Ex.P.10, at the instance of Basavana Bagewadi Police.

It is true to suggest that, Accused No.1 is not holding any agricultural land in Nandyal village.

It is true to suggest that, I do not know anything about this Case.

Materials like M.O.1 to M.O.3 are available in the residence of all the agriculturist.

I do not know whether M.O.1 to M.O.3 belongs to C.W.4/P.W.2; even I do not know as to who M.O.1 to M.O.3 belongs.

It is false to suggest that, I am deposing falsely in this Case inorder to help my relatives/C.W.1/P.W.1.

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.