

KAKL600040652024



IN THE COURT OF PCJ AND JMFC, SRINIVASPUR

Presided by – KARN SINGH R U

Dated – 1st day of July 2026

C.C.No.1871 of 2024

(Arising out of Crime No.299/2023 of Srinivaspur PS)

COMPLAINANT

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STATE OF KARNATAKA,
By Srinivaspur PS

(Represented by Assistant Public
Prosecutor, Srinivaspur)

v/s

ACCUSED

....

1. Bharath Kumar,
S/o Venkataravanappa,
Aged about 20 years,
2. Vanamala,
w/o Venkataravanappa,
Aged about 47 years,
R/at Vallabhai Road,
Srinivaspur Town

(Represented by N Srinivas Gowda,
Advocate)

List of Dates

Date of Offence	27.08.2023
Date of FIR	27.08.2023
Date of Charge-sheet	11.09.2024
Date of framing of charges	07.07.2025
Date of commencement of evidence	27.04.2026
Date on which judgment is reserved	01.06.2026
Date of Judgment	01.07.2026
Date of Sentencing order, if any	-

ACCUSED DETAILS

Rank of the Accused	Name of Accused	Date of Arrest	Date of Release on Bail	Offences Charged with	Whether Acquitted or Convicted	Sentence imposed	Period of detention undergone during Trial for purpose of Section 428 CrPC / 468 of BNSS
1.	Bharath Kumar	-	-	323, 324, 341, 504 R/w 34 of IPC	Acquitted	-	-
2.	Vanmala	-	-	-do-	-do-	-	-

JUDGMENT

1. This criminal case arises out of final report filed in Crime No.299/2023 of Srinivaspur PS for offences punishable U/s 323, 324, 504 read with 34 of IPC, 1860.

Facts as per prosecution

2. On 27.08.2023 at around 9.30 a.m., at Vallabhai Road, Srinivaspur Town, Radhamma (PW1) enquires accused persons as to why they have fixed another lock over her brother's premises. To this, accused persons pick a quarrel with PW1 and insult her in vulgar language. Accused No.1 picks a stick and assaults PW1 on her left forearm and right elbow. Accused No.2 picks a quarrel with Lakshminarayan (PW2) and beat him. Accused No.2 pulls PW1 by her hair and pushes her to ground. Lakshmiddevamma and Uma, come to their rescue and save PW1 and PW2. PW1 and PW2 go to Hospital. Police reach Hospital. PW1 reports the incident to police.

Investigation

3. Based on statement of PW1, Police registers FIR. After registering the FIR, the I.O took up investigation. Panchnama of scene of offence was prepared. Stick used for assault was seized. Statements of other witnesses were recorded. Wound certificate of PW1 and PW2 were obtained. Relying on statements and concluding investigation, IO filed charge-sheet affirming that accused persons committed offences as alleged.

Trial

4. Acting upon the charge-sheet, this court took cognizance of the offences as mentioned in the charge-sheet and issued summons to accused persons. Upon service of summons, accused persons appeared before the court. Copy of charge-sheet was supplied to accused persons. Charges were framed against them. Accused persons pleaded innocence and claimed trial.
5. PW1 and PW2 were examined. As they being the only prime witnesses and they having turned hostile and claimed ignorance, examination of rest witnesses wouldn't have prove anything against accused. Other witnesses were only formal witnesses. Prayer of APP was rejected and summons to other witness was dispensed. Prosecution side evidence was closed. Examination of accused under Section 313 CrPC / 351 of BNSS, was also dispensed as there was no incriminating evidence. Matter was reserved for judgment.

POINTS FOR CONSIDERATION

- a. Could the prosecution prove that on 27.08.2023 at around 9.30 a.m., at Vallabhai Road, Srinivaspur Town, under the shared common intention, accused persons beat PW1 and PW2 and caused hurt to them and thereby committed an offence P/u/s 323 of IPC?
- b. Could the prosecution prove that on the date, time and place aforesaid, under the shared common intention, accused No.1

assaulted PW1 using stick and caused hurt to them and thereby committed an offence P/u/s 324 of IPC?

- c. Could the prosecution prove that on the date, time and place aforesaid, under the shared common intention, accused persons insulted PW1 and PW2 by addressing them in vulgar language and thereby committed an offence P/u/s 504 of IPC?

My finding to the above points is as under:

Points (a) to (c): In the negative

REASONS

6. PW1 and PW2 were the prime witnesses of prosecution. The entire prosecution was based on statements of these witnesses. PW1 and PW2 failed to depose anything about the incident or anything against the accused persons. They were cross-examined by APP by treating them as hostile witnesses but they did not admit any such suggestions against accused persons.
7. When the material witnesses have not deposed anything against accused persons and failed to support the prosecution, the charges leveled against the accused, fall. None of the allegations made against the accused are proved.
8. For the reason that the prime-witnesses of the prosecution have failed to depose anything against accused and in absence of any other cogent

evidence, points raised for consideration do not require elaborate discussion and are resultantly answered in negative.

9. In view of my finding points (a) to (c) in negative, the accused are entitled for acquittal. Thus, I proceed to pass following order.

ORDER

Acting u/s 248 (1) of CrPC, 1973 / 271 of BNSS, 2023, I hereby acquit accused persons for the offences p/u/s 323, 324 and 504 R/w 34 of IPC.

Material object i.e., Stick is being worthless shall be disposed suitable after the expiry of period prescribed for appeal.

Bail bonds of the accused persons shall remain in force for a period of six months in compliance of Section 437A of CrPC / 481 of BNSS, 2023.

(Pronounced in the open court on 1st day July 2026)

**KARN SINGH R U
PCJ AND JMFC, SRINIVASPUR**

LIST OF PROSECUTION/ DEFENCE/ COURT WITNESSES

A. Prosecution

Rank	Name	Nature Of Evidence
PW1	Radhamma	Victim
PW2	Lakshminarayana	Victim

B. Defence Witnesses : Nil

C. Court Witnesses : Nil

LIST OF PROSECUTION/ DEFENCE/ COURT EXHIBITS

A. Prosecution:

Sl. No.	Exhibit Number	Description
1	P1	FIS
2	P2	Panchnama
3	P3	Statement of PW2

B. Defence: Nil

C. Court Exhibits: Nil

D. Material Objects:

M.O.1 – Stick

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