

Witness – **CW1**

Witness recalled and duly sworn on 07.08.2026

Cross-examination by Smt. LK, Advocate for Accused

36. I have gone through my examination-in-chief affidavit and I am aware of the contents of it. I am not aware that my counsel acceded to the personal request of the accused on the reason that matter would be adjourned to 18.11.2025 as stated in para No.14 of my chief. The accused are making encroachment in my property from southern side of my property. Towards southern side of my said land, the land bearing Sy. No.50 is situating. The CCTV footage contained in Exhibit-C45 at No.17131690114_0_6152982915_20240415131416_20240415131434 of 361 kb is now shown to me and it is produced by me. The iron sheet gate seen in that CCTV footage is towards western side of my land. Beyond that sheet gate land in Sy. No.41 is situating. I access to my land from land in Sy. No.41. It is incorrect to suggest that it is the land in Sy. No.42 which is lying beyond the said sheet gate. I do not know that land in Sy. No.42 belongs to Accused No.2/K.K.Suresh.

37. I do not know that in Sy. No.31/1 the total extent of land is approximately 25 acres 61 cents. It is not possible for me to identify the survey sketch of Sy. No.31/1 now shown to me. It is true that in the plaint at O.S.No.13/2024 I

have described the boundaries of my property as East Sy. No.30, West Sy. No.41, North Sy. No.50 and South Sy. No.19. I again say that towards North of my land in Sy. No.19 is situating, whereas towards South land in Sy. No.50 is lying and boundaries shown in the plaint towards North and South are mistakenly shown. I am not aware that my land is surrounded by the land belonging to the accused. Even I do not know that land belong to the accused is in Sy. No.31/1.

38. I had applied for phodi of my three acres land and even RTC was also issued with Sy. No.31/3. It is true that the said phodi has been cancelled vide order dated 25.09.2025. It is incorrect to suggest that I am not holding any land with Sy. No.31/3, which forms part of Sy. No.31/1. It is incorrect to suggest that when accused were accessing to their land, I filed a false suit claiming that I am holding land in Sy. No.31/3. From the days of my father I am accessing to my land through the Iron sheet gate, referred above. When the accused were harvesting the coffee and cardamom grown by me in my land I saw it and I immediately informed the police by calling 112 helpline. It is incorrect to suggest that because I was not able to show existence of my land there they did not register any case. I volunteer that since it is a revenue property dispute, the police officials did not come to my help. Since I was passing by my land, I came to know the act of encroachment by the accused. It is incorrect to suggest that when the accused were harvesting in their own land, I filed

this false case. Till the year 2023 accused were not obstructed my cultivation there. Once they harvested the produce grown by me there, I filed this case. It is incorrect to suggest that by creating documents I have started this litigation from 2022-23. From the year 1993 I am in possession of the said land. It is incorrect to suggest that in order to usurp the property of the accused, I have filed false case.

Re-exam: Nil

(Typed to my dictation in my chamber on this the 07th Day of August, 2026)

R.O.I & A.C.

**Sd/-
Registrar (Judicial)
High Court of Karnataka
Bengaluru.**