

IN THE HIGH COURT OF KARNATAKA AT BENGALURU
DATED THIS THE 19TH DAY OF SEPTEMBER, 2022
BEFORE
THE HON'BLE MR. JUSTICE SREENIVAS HARISH KUMAR

CRIMINAL APPEAL NO.1665 OF 2021

BETWEEN:

State of Karnataka by
Amruthahalli Police Station
Represented by
State Public Prosecutor
High Court of Karnataka
Bengaluru-560001

...Appellant

(By Sri K. Nageshwarappa, HCGP)

AND:

Swetha

...Respondent

This Criminal Appeal is filed under Section 378(1) and (3) of Cr.P.C. praying to grant leave to appeal against the judgment and order dated 27.04.2021 in S.C. No.585/2014 by the LXVI Additional City Civil and Sessions Judge, Bengaluru City (CCH-67) acquitting the accused/respondent for the offence punishable under Section 306 of IPC.

This Criminal Appeal coming on for **admission** this day, the Court delivered the following:

JUDGMENT

Heard the learned High Court Government Pleader for the appellant.

2. The State has preferred this appeal questioning the judgment of acquittal dated 27.04.2021. The respondent was prosecuted for the offence under Section 306 of IPC for the suicidal death of one Charan. Ex.P2 is the death note.

3. The court below has placed reliance on the death note and come to conclusion that there is no evidence indicating abetment by the accused for the suicidal death of Charan. If Ex.P2 is thoroughly scrutinized, it may be noticed that the deceased Charan had relationship with the accused. She came to know that accused had relationship with other boys including one Vinay.

4. The deceased has a friend by name Ajay, who was killed by Vinay. Coming to know that accused had relationship with many boys and she tried to avoid him, he became depressed in life. Therefore the death note indicates a kind of depression undergone by the deceased. Even though PW1 to PW3 have given evidence that this accused was responsible for the suicidal death of deceased, it is not possible to draw inference that there was abetment by the accused. The trial court is justified in acquitting the accused. Therefore there are no grounds to admit. Appeal is **dismissed**.

**Sd/-
JUDGE**

Kmv/-