

*In the Court of Ankita Raj, SDJM,
Mohania, Kaimur
Date of judgment :- 24.07.2026
Mahila PS Case no. 14/2024
Reg No. 66/2025*

IN THE COURT OF ANKITA RAJ, SUB-DIVISIONAL MAGISTRATE, MOHANIA, KAIMUR. Present: Ankita Raj, SDJM [Date of the Judgment: 24.07.2026] [Mahila P.S Case No. -14 /2024] R-66/2025	
INFORMANT	PRATIBHA KUMARI, D/O-DINA NATH SAH, R/O- KATRA, PS- MOHANIA, DIST-KAIMUR.
REPRESENTED BY	Ld. APO. Dinesh Mishra
ACCUSED	1. PUNAM DEVI, W/O-SHUBHAM GUPTA, 2. ABHISHEK KUMAR, S/O- VISHWANATH PRASAD GUPTA, 3. DURGAWATI DEVI, W/O- VISHWANATH PRASAD GUPTA, 4. VISHWANATH PRASAD GUPTA, S/O- LATE. UMASHANKAR SAH, 5. SHUBHAM GUPTA, S/O- VISHWANATH PRASAD GUPTA, ALL R/O-NUAON, P.S-NUAON, DISTRICT-KAIMUR.
REPRESENTED BY	Ld. Adv. SANJID AHMAD

FORM A

FORM B

Date of Offence	28.02.2024 - 09.03.2024
Date of institution of Case	19.04.2024
Date of cognizance order	22.02.2025
Date on which charge frame	10.06.2026

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Date of commencement of evidence	02.07.2026
Date on which judgment is reserved	24.07.2026
Date of the Judgment	24.07.2026
Date of the Sentencing Order, if any	NA

Accused Details:

Rank of the Accused	Name of the 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, Cr.P.C.
1.	PUNAM DEVI	NA	06.06.2026	498A, 341, 323/34 of IPC and 3/4 D.P. Act.	ACQUITTED	NA	NA
2.	ABHISHEK KUMAR	NA	13.11.2024		ACQUITTED		
3.	DURGAWATI DEVI	NA	30.08.2024		ACQUITTED		
4.	VISHWANATH PRASAD GUPTA	NA	30.08.2024		ACQUITTED		
5.	SHUBHAM GUPTA	NA	06.06.2026		ACQUITTED		

JUDGMENT

1. In this case above named six accused persons namely 1. PUNAM DEVI, 2. ABHISHEK KUMAR, 3. DURGAWATI DEVI, 4. VISHWANATH PRASAD GUPTA and 5. SHUBHAM GUPTA are facing trial for the offences punishable under sections- 498A, 341, 323/34 of IPC and 3/4 D.P. Act. to which the charge was framed to them and they have not pleaded guilty and claims to be tried.
2. The prosecution case in short as per written application of the informant that the informant, Pratibha Kumari, was married to the accused, Abhishek Kumar, on 27.02.2024. Following the marriage, all the accused began demanding a four-wheeler and a dowry of ₹10 lakh, while also subjecting the informant to harassment. On 09.03.2024, under the pretext of the 'Sammatt' ritual (Holika Dahan), they dropped the informant off at her maternal uncle's house in Mohania and refused to keep her with them.
3. On the basis of which the cognizance of the offence was taken for the offence punishable u/s- 498A, 323, 341/34 of IPC and 3/4 D.P. Act against accused persons namely 1. PUNAM DEVI, 2. ABHISHEK KUMAR, 3. DURGAWATI DEVI, 4. VISHWANATH PRASAD GUPTA and 5. SHUBHAM GUPTA. Charges were framed and explained to the accused persons in Hindi on 10.06.2026. After prosecution evidence statement of the accused persons u/s-313 of the Cr.PC was recorded on 13.07.2026, under which they have pleaded not guilty and claims to be tried.
4. In the statement recorded u/s- 313 of the CR.P.C, all accused persons facing trial in this case have claim themselves as innocent and be falsely implicated in this case.

5. Now the question for judgment before me is that whether prosecution has been able to prove the charges levelled against all accused persons facing trial in this case beyond all reasonable doubts or not?

FINDINGS

6. Both parties have been heard, and perused the case record. On perusal of case record it transpires that the Informant has compromised the case with all accused persons facing trial in this case for the offence punishable u/s- 341, 323/34 of IPC which is compoundable in nature. The accused persons facing trial in this case is acquitted for the offence punishable u/s- 341, 323/34 of the IPC, on the basis of compromise only.

So, far as the section-498A of IPC and 3/4 D.P. Act is concerned, it is not compoundable in nature, hence it shall be decided on the basis of merit.

8. In this case two witnesses namely PRATIBHA KUMARI (Informant) AS PW-01 and DINANATH SAH AS PW-02 have been produced and examined..
9. No defence evidence has been adduced in this case on behalf of accused persons.
10. Now, I shall discuss the evidence of informant in this case available on record in the light of charges punishable u/s- 498A of IPC and 3/4 D.P. Act for the convenience of discussion, I shall discuss the evidence of informant of this case, who is witness of this case.

a. **PW-01** namely Pratibha Kumari is the informant of this case. In her examination in chief, she has supported the factum of prosecution case. Informant marriage to Abhishek has ended, they

have divorced. The informant has formally identified his signature on the original application, which is marked as Exhibit P-1/PW-01. Currently, the informant is married to another person, Arvind Kumar Gupta. In cross-examination she has neither stated about any demand for dowry nor has she mentioned any cruelty and she stated that there has been reconciliation between her and all accused Persons by mutual harmony.

b. **PW-02** namely Dinanath Sah is the father of informant in his examination in chief, he has stated that Abhishek marriage to his daughter ended by divorce. In his cross-examination he has neither stated about any demand for dowry nor has he mentioned any cruelty and he also stated that he has received back all the gifts given at the wedding and now has no grievances whatsoever. On careful analysis of the evidence of PW-01 and PW-02, it is clear that the charge punishable u/s- 498A of the IPC and 3/4 D.P. Act has not been substantiated on the basis of their evidence.

On careful analysis of evidence of PW-01 and PW-02, now it is clear that no evidence has been given by the both witnesses of this case to prove the charge for the offence punishable u/s- 498A of the IPC and 3/4 D.P. Act. It is also clear that in their cross-examination nothing has been stated regarding any demand for dowry and cruelty which is punishable U/S-498A of the IPC and 3/4 D.P. Act. Hence the evidence of informant and her father is not in support of the prosecution case for the charge punishable U/S-498A, of the IPC and 3/4 D.P. Act.

11. In the result, it is therefore,

ORDERED

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That the accused persons 1. PUNAM DEVI, 2. ABHISHEK KUMAR, 3. DURGAWATI DEVI, 4. VISHWANATH PRASAD GUPTA and 5. SHUBHAM GUPTA, are **acquitted** for the charge punishable **U/S- 341, 323/34 of the IPC** on the basis of compromise only and for the charges punishable **U/S-498A of the IPC and 3/4 D.P. Act.** on the basis of merit and they and their bailors are also discharged from their respective liabilities of bail bonds.

DATE -24th Day of July 2026.

Sd/-
ANKITA RAJ
SUB-DIVISIONAL JUDICIAL MAGISTRATE
MOHANIA, KAIMUR

This judgment has been written and corrected by me in my pen and signature, and has been pronounced and sealed in open court today i.e on 24th Day of July 2026.

Sd/-
(ANKITA RAJ)
SUB-DIVISIONAL JUDICIAL MAGISTRATE
MOHANIA, KAIMUR

FORM C

LIST OF PROSECUTION/DEFENCE/COURT WITNESSES

A. Prosecution

RANK	NAME	NATURE OF EVIDENCE (EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS, OTHER WITNESS)
PW1	PRATIBHA KUMARI	INFORMANT
PW2	DINANATH SAH	OTHER

B. Defence Witnesses, if any:

RANK	NAME	NATURE OF EVIDENCE (EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS, OTHER WITNESS)
DW1	NIL	NIL

C. Court Witnesses, if any:

RANK	NAME	NATURE OF EVIDENCE (EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS, OTHER WITNESS)
CW1	NIL	NIL

LIST OF PROSECUTION/DEFENCE/COURT EXHIBITS

A. Prosecution:

Sr. No	Exhibit Number	Description
1	P-1/PW-01	Written application of Informant for F.I.R

B. Defence:

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Sr. No	Exhibit Number	Description
1	NIL	NIL

C. Court Exhibits

Sr. No	Exhibit Number	Description
1	NIL	

D. Material Objects:

Sr. No	Material Object Number	Description
1	NIL	

Sd/-
[Ankita Raj]
Sub- Divisional Judicial Magistrate
Mohania, Kaimur
Dated:..24.07.2026