

<u>IN THE COURT OF A.C.J.M - 1st (W), Muzaffarpur</u> CIVIL COURT, MUZAFFARPUR, BIHAR DATE OF JUDGMENT:- 16.05.2026 COMPLAINT CASE NO:- 1711/2012 TRIAL NO:- 982/2023	
Complainant	<i>Smt. Vibha Devi, S/o Suresh Ram, R/o, Barouna, P.S-Karja, District-Muzaffarpur</i>
Represented by	Advocate- Shri. Sandeep Kumar Mishra
Accused	1. Mukesh Ram, S/o Late Nandlal Ram R/o Village- Rampur Balra, P.S.- Khudhani, Distrit- Muzaffarpur 2. Parvati Devi, W/o Vidhyasagar Das R/o Village- Kinaru, P.S.- Maniyari, Distrit- Muzaffarpur 3. Meena Devi, W/o Virendra Ram R/o Village- Bariyarpur, P.S.- Maniyari, Distrit- Muzaffarpur 4. Veena Devi, W/o Devendra Ram R/o Village- Laxmipur, P.S.- Maniyari, Distrit- Muzaffarpur
Represented by	Advocate- Shri. Ramnath Sharma

FORM B

Date of offence	21.05.2006
Date of cognizance/Prima facie	30.09.2013
Date on which charge framed/Accusation Explanation	11.05.2026
Date of commencement of evidence	12.05.2026
The date on which Judgment is reserved	16.05.2026
Date of Judgment	16.05.2026

Accused details

The rank of the accused	Name of the accused	Date of arrest	Date of release on bail	Offences charged with	Acquittal or conviction	Sentence Imposed	Detention during trial u/s 428 Cr. P.C
1.	Mukesh Ram	NA	26.03.15	Section 498(A)/34 of IPC	Acquittal	NA	NA
2.	Parvati Devi	NA	10.12.13	Section 498(A)/34 of IPC	Acquittal	NA	NA
3.	Meena Devi	NA	10.12.13	Section 498(A)/34 of IPC	Acquittal	NA	NA
4.	Veena Devi	NA	10.12.13	Section 498(A)/34 of IPC	Acquittal	NA	NA

Judgment

1. In the instant case accused persons namely, 1. Mukesh Ram 2. Parvati Devi 3. Meena Devi and 4. Veena Devi are facing trial for committing the offences punishable u/s 498(A)/34 of IPC. In the course of trial accused person namely Banarshi Devi died on 18.02.2017 and the proceeding of deceased Banarshi Devi has been vide order dated 11.05.2026.
- 2 The story of the complainant in brevity is that the complainant was married to accused no. 1 on 21.05.2006 according to Hindu rites and rituals. At the time of marriage, the accused demanded a motorcycle and threatened to stop the marriage ceremony unless the demand was fulfilled. Due to financial hardship, complainant's father, a labourer, paid Rs. 20,000/- to accused no. 1, after which the marriage was solemnized. After marriage, complainant was subjected to mental and physical cruelty by her husband and in-laws for the remaining motorcycle money. Subsequently, her father paid another Rs. 20,000/- during Durga Puja, 2007. Despite this, the accused again started demanding a colour television and continued harassing and assaulting complainant, also taunting her as barren. In January 2012, after intervention by complainant's father and witnesses, the accused assured that they would not torture her. However, accused no. 1 allegedly developed an illicit relationship with a girl named Geeta from neighbouring. When complainant objected, she was threatened and asked to remain silent. About five months prior to filing the complaint, the accused assaulted informant, threw her out of the matrimonial home, and retained her jewellery and clothes, despite her being pregnant at the time. About two months ago, she gave birth to a male child. Thereafter, accused no. 1 allegedly filed a divorce case against complainant and refused any settlement, compelling her to file the present complaint.
- 3 This complaint has been filed before the court on 09.10.2012 and After inquiry prima facie case has been made out u/ss 498(A)/34 of I.P.C. against accused person named in the complaint petition on 30.09.2013 and presently being tried by me. In this case substance of charge have been framed to the accused persons u/section 498/34 of I.P.C. on 11.05.2026 and read over and explained to the accused person to which they refuted and pleaded not guilty and claimed to be tried.
- 4 During inquiry parties have compromised the case and a compromise and permission petition dated 11.05.2026 duly signed by both parties and countersigned by their respective advocates have been filed before the Court. Section 498-A/34 of I.P.C. is concerned that it can not be compounded and will be decided on merit.
- 5 The statement of the accused u/s 313 Cr.P.C was recorded on 16.05.2026 and they pleaded their innocence and have been falsely implicated in this case. The judgment was pronounced on 16.05.2026.

- 6 Now the question for judgment before me is that whether the prosecution has been able to prove the charges leveled against the accused persons beyond the shadow of all reasonable doubts or not.

FINDINGS

- 7 In the course of trial prosecution has produced sole witness in support of her case. CW-1 Vibha Devi (Informant) is witness of this case. Any other oral or documentary evidence has not been produced on behalf of the prosecution. Defense has not produced any oral evidence or documentary evidence .
- 8 Now I shall discuss the evidences available on the record in the light of the charges leveled against the accused persons.
- 9 **CW-1 Vibha Devi** has deposed in para-1 of her examination-in-chief that she got married to Mukesh Ram in the year 2006. Further she deposed that a motorcycle was demanded as dowry. They wouldn't give the motorcycle, so her wedding was not held. Then, her father gave me 20,000 rupees, and she was finally able to leave. After that, she went to my in-laws' house. Further she has deposed in para-3 of her cross-examination of before charge evidence that she is currently living with her in-laws. Further she has deposed in para-4 of her **cross examination of after charge evidence** that she has compromise this case with everyone willingly. Further she deposed in para-5 of her cross-examination that that since there has been a compromise, she does not wish to testify any longer. Further she deposed in para-6 of her cross-examination that own in-laws and husband are not making any demands. It was just a matter of discussion, so she came to own parents' home. she has not been harassed by anyone. Further she deposed in para-7 of her cross-examination that currently she is living with own children and husband at own in-laws' house. Further she deposed in para-8 of her cross-examination that she would have no objection if the case is disposed of. Further she deposed that her signature is on the compromise petition.
10. Arguing on behalf of accused Ld. Counsel submitted that his clients are innocent and had not committed any such offence as alleged by the complainant as the complainant claim is wrong.
11. The Learned counsel of the complainant the prosecution witness has fully supported the case of complainant. Hence, it got succeeded to prove its case beyond the shadow of all reasonable doubts.
12. This is the whole evidence and apart from it nothing has been brought before the court on the point of section 498-A/34 of I.P.C. PW-1 Vibha Devi has stated in her evidence that she has happily settled this case with everyone. since there has been a compromise, she does not wish to testify any longer. Further she deposed in para-6 of her cross-examination that own in-laws and husband are not making any demands. It was just a matter of discussion, so she came to own parents' home. she has not been harassed by anyone. Further she

deposed in para-7 of her cross-examination that currently she is living with own children and husband at own in-laws' house. Further she deposed in para-8 of her cross-examination that she would have no objection if the case is disposed of. This case was filed due to some ideological differences. There is general and omnibus allegation against the accused persons. The Complainant has failed to establish the cruelty and harassment to wife was to force her to cause grave bodily injury to herself or the harassment was to compel her to illegal demand for dowry. There is a lack of adequate evidence to substantiate properly, the charges as framed against the said accused persons. Pw-1 Vibha Devi (informant) has fully supported the factum of compromise in her testimony Parties have also compromised the case and she does not want to fight this case nor does she want to give any testimony. Hence liberal approach should also be adopted for the betterment and smooth running as well as peaceful functioning of the society.

13. It is the duty of the complainant to prove the charges leveled against the accused beyond the shadow of all reasonable doubts but exaggeration of facts, non production of eye witnesses and contradictory statements made by the witness produced, makes the complainant case doubtful.

14. On the basis of the discussions made above, I found and accordingly hold that complainant has failed to prove the charges leveled against the accused beyond the shadow of all reasonable doubts.

ORDER

15. Accordingly, the accused persons namely, **1. Mukesh Ram 2. Parvati Devi 3. Meena Devi and 4. Veena Devi** are facing trial in this case is hereby **acquitted** from the charges of offences u/s 498(A)/34 of IPC and their bailors are also discharged from the liabilities of their respective bail bonds. Also, o/c is directed to deposit the record in the record room as per the rule.

Judgment has been written, (typed) corrected dated signed and sealed and pronounced by me in open court today dated 16th Day of May, 2026.

Dated: 16th Day of May, 2026.

Typed and Corrected

Sd/-

(Naresh Mahto)
Additional Chief Judicial Magistrate 1st
Muzaffarpur (West)

APPENDIX

FORM C
LIST OF PROSECUTION/DEFENCE/COURT WITNESSES
A. PROSECUTION WITNESS

Rank	Name
CW 1	Bibha Devi

B. DEFENCE WITNESS

Rank	Name
DW-1	NA

LIST OF PROSECUTION/DEFENCE/COURT EXHIBITS
A: PROSECUTION

Sr. No	Exhibit Number
1.	NIL

B: DEFENCE

Sr. No	Exhibit Number
1	NIL

C: COURT EXHIBITS

Sr. No	Exhibit Number
1	NIL

C: MATERIAL EXHIBITS

Sr. No	Exhibit Number
1	NIL

Date of Judgment/Order	16-05-2026
Date of Reserving Judgement / Order	16-05-2026
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