

**In the Court of Ms Surbhi Singhania
SUB DIVISIONAL JUDICIAL MAGISTRATE, BIRPUR (SUPAUL)**

Complaint Case No. 179 (C) 2021

Trial no. 50/2026

Sunita Devi (Complainant) Vs. Subhash Sardar & Ors. (Accused)

Date of order	Order with signature of the Court	Office action taken with date
<u>28-04-2026</u>	<p>The record is put up today for before-charge evidence. Attendance has been filed on behalf of the complainant, namely Sunita Devi, as well as the accused persons, namely Subhash Sardar, Kari Sardar and Kaushalya Devi. Upon perusal of the record, it appears that adequate opportunities had already been granted to the complainant for adducing before-charge evidence. In view of the petition dated 07-02-2026 seeking closure of complainant's evidence, the before-charge evidence is hereby closed.</p> <p>Further, a discharge petition under Section 245 of the Cr.P.C. has been filed on behalf of the accused persons, against which no objection has been raised by the learned counsel for the complainant.</p> <p>It further appears that a joint compromise petition along with a permission petition dated 07-02-2026 has been filed and pressed on behalf of the parties. Learned counsel for the complainant submitted that the dispute has been amicably resolved between the parties, whereas learned defence counsel prayed for discharge of the accused persons in light of the said compromise.</p> <p>On perusal of the record, it transpires that the accused persons, namely, Subhash Sardar, Kari Sardar and Kaushalya Devi, were summoned vide order dated 27-05-2022 for offences punishable under Sections 341, 323, 504 and 498A of the IPC as well as Section 3/4 of the Dowry Prohibition Act. After their appearance, the case was fixed for recording of before-charge evidence.</p> <p>The complainant herself was examined on 07-02-2026 and, in her examination-in-chief, stated that she had instituted the present complaint case against her husband, mother-in-law and father-in-law. She further deposed that the matter has now been settled amicably between the parties; she has remarried and her husband has also remarried, and therefore she no longer intends to pursue the present case. In her cross-examination, she categorically stated that the compromise has been entered into voluntarily and that she has no objection if the case is disposed of on the basis of such compromise.</p> <p style="text-align: center;">No other witness was produced by the complainant and, accordingly, the before-charge evidence stands closed today.</p>	

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<p><u>Continued</u> <u>28-04-2026</u></p>	<p>Considering the compromise arrived at between the parties and in the absence of any substantive material brought on record under Section 244 Cr.P.C./Section 267 BNSS to proceed further against the accused persons, this Court finds that no sufficient ground exists for continuation of the present proceeding.</p> <p>Accordingly, the accused, 1. Subhash Sardar, 2. Kari Sardar and 3. Kaushalya Devi are hereby discharged under Section 245 of the Cr.P.C./Section 268 of the BNSS.</p> <p>All pending applications, if any, available on the record and not pressed by the learned counsel for the defence or the complainant, stand disposed of accordingly. The bailors of the accused persons are discharged from the liabilities of their respective bail bonds. Office is directed to consign the record to the Record Room after due compliance.</p> <p style="text-align: right;">(Surbhi Singhania) S.D.J.M Birpur (Supaul)</p>
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