



ASLK030050572022

APPENDIX-12

**IN THE COURT OF JUDICIAL MAGISTRATE 1ST CLASS,
LAKHIMPUR, NORTH LAKHIMPUR**

**Present: Smti Anjali Doley, A.J.S
Judicial Magistrate 1st Class,
Lakhimpur, North Lakhimpur, Assam**

**(Date of Judgment: 08.07.2026)
(GR : 1017 of 2021)(PRC : 1704 of 2022)
Bihpuria P.S. Case No. 268/2021
Under section 498(A) IPC**

INFORMANT	STATE OF ASSAM
REPRESENTED BY	Sri D. Dutta Borah, A.P.P.
ACCUSED	A1. Md. Joynal Abedin S/O: Late Abdul Kadir R/O: No.02 Sonapur P/S : Bihpuria, Dist. : Lakhimpur.
REPRESENTED BY	Mr. Madhab Hazarika, Advocate

APPENDIX-13

Date of offence	14.04.2021
Date of FIR	19.04.2021
Date of filing Charge Sheet	26.04.2021
Date of Framing of Charges/ offence explanation	29.06.2021
Date of commencement of evidence	08.07.2026
Date on which judgment is reserved/ argument	08.07.2026
Date of Judgment	08.07.2026
Date of the Sentencing Order, if any	N/A

Accused Details:

Rank of the Accused	Name of Accused	Date of Arrest	Date Release on Bail	Offences charged with	Whether Acquitted or convicted	Sentence Imposed	Period of Detention Undergone during Trial for purpose of Sec. 428 Cr.P.C.
A1	Md. Joynal Abedin	17.06.2026	18.06.2026	498(A) IPC	Acquitted	Does not arise	1 Day

J U D G M E N T

PROSECUTION'S CASE IN BRIEF:

- 1.** The accused person, **Md. Joynal Abedin (A1)** has stood in trial for offence punishable under section 498(A) of the Indian Penal Code.
- 2.** The case of the prosecution in brief is that the informant, namely, Mustt. Amina Khatun lodged an ejahar before the Officer-in-Charge, Bihpuria Police Station alleging inter-alia that she was subjected to continuous physical and mental torture by the accused over dowry demands since their marriage. On 14.04.2021, at about 12:00 PM, the accused persuaded the informant to return to her matrimonial home under the pretext of resolving a previous case she had filed on 16.02.2021. However, at around 12:00 AM that night, the accused and his family members brutally assaulted the informant, attempted to strangle her by tying a rope around her neck, and inflicted injuries using a sharp weapon and lathi. The informant managed to escape, took shelter in a neighboring house. Hence, the case.
- 3.** On receipt of the Ejahar, the same was registered as Bihpuria PS Case No. 268/2021, u/s 498(A) of IPC and got the investigation into the case commenced.

The concerned investigating officer, after completing the investigation, submitted charge-sheet u/s 498(A) IPC against the accused person to stand trial in the Court.

4. On appearance of the accused person, copies were furnished to him as per section 207 Code of Criminal Procedure Code (hereinafter called CrPC). After considering the materials on record, the charge u/s 498(A) of IPC was framed against the accused and the particulars of offence under section 498(A) of IPC was read over and explained to the accused person, to which he pleaded not guilty and claimed to be tried.

5. In the course of the trial, the prosecution has examined 01 (one) witness i.e. the informant of this case. The examination of the accused person u/s 313 CrPC was dispensed with as no incriminating materials surfaced against him in the evidence adduce in this case.

6. I have heard the respective arguments of both sides and perused the evidence on record.

POINTS FOR DETERMINATION:

7. The point which is required to be determined for a just decision of this case is as follows:

- I. Whether the accused person, being the husband of the informant, had subjected her to cruelty of both mental and physical tortures , and thereby committed an offence punishable u/s 498(A) of IPC?

8. Discussion, Decision and Reasons thereof:-

To establish the culpability of the accused person, the prosecution side has examined one witness i.e. the informant of this case. Revering to the case in hand, let me see if the evidence of the PW is reliable enough to discard the need for corroboration.

9. Mustt. Amina Khatun, the informant of this case, being **PW-1**, has deposed in her evidence that the the accused person is her husband and about 5/6 years back, an altercation took place between her and the accused person regarding some domestic matters. After that out of anger, she had lodged this case against her husband at Bongalmora Outpost. But after lodging this case, they had amicably settled the matter outside the

court. Presently, she does not want to proceed further with this case.

10. During her cross-examination, PW-2 stated that she has no objection if the accused person is acquitted from this case.

11. Now, from the testimonies of PW-1, it is seen that on the date of incident, only an altercation was taken place between the accused person and the informant regarding some domestic matters and out of anger, the case was lodged. From the testimonies of PW-1, it reveals that the matter was amicably settled between the accused person and the informant. She does not want to proceed with this case.

12. The FIR narrated story, has not been corroborated at all by the said witness. From the evidence on record, it appears that there is no ingredient of offence u/s 498(A) of IPC. The prosecution has failed to make any case against the accused person and as such he deserves to be acquitted of the charges.

13. Accordingly, the accused person, **Md. Joynal Abedin** is found not guilty of the offence charged against him and he is acquitted.

ORDER

14. Hence considering the above discussions, the accused **Md. Joynal Abedin** is found not guilty of offence **u/s 498(A)** of the IPC and **set at liberty forthwith.**

15. The bail bond of the accused person is extended till further six months from today.

16. The case is disposed of on contest accordingly.

The judgment is delivered and operative part of the same is pronounced in the open court on this 08th day of July'2026.

Certified that the Judgment is typed and corrected by me and each page bears my signature.

(Smti. Anjali Doley)
Judicial Magistrate First Class
Lakhimpur, North Lakhimpur.

APPENDIX - 14
LIST OF PROSECUTION/DEFENCE/COURT WITNESSES
A. Prosecution:

RANK	NAME	NATURE OF EVIDENCE (EYE WITNESSES, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS, OTHER WITNESS)
PW1	Must. Amina Khatun	Informant

B. Defence Witnesses, if any:

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

C. Court Witnesses, if any:

RANK	NAME	NATURE OF EVIDENCE (EYE WITNESSES, 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	Exhibit P-1/PW1	Nil

B. Defence:

Sr. No.	Exhibit Number	Description
1	Exhibit D-1/DW-1	Nil

C. Court Exhibits:

Sr. No.	Exhibit Number	Description
1	Exhibit C-1/CW-1	Nil

D. Material Objects:

Sr. No.	Exhibit Number	Description
1	MO1	Nil

(Smti. Anjali Doley)
 Judicial Magistrate First Class
 Lakhimpur, North Lakhimpur.