

Order dated 22.01.24

The 03 accused persons are present along with Ld. Defence Counsel.

Today is fixed for 313 CrPC.

The case record is taken up for examination of the accused persons u/s. 313 CrPC.

They are examined u/s 313 CrPC and their answers are recorded in the separate sheets and kept in the record. The accused persons declined to adduced any evidence on their behalf.

Heard the argument from both sides.

Let the case record be placed at 2:00 for delivery of judgment.

Later:

Parties are present. The Judgment is delivered in open Court.

It is,

ordered

that the 03 accused persons namely 1) Krishnapada Halder son of Subal Halder, 2) Mangala Halder wife of Subal Halder and 3) Subal Halder son of Late Chunilal Halder; all of Dongajora, PS Kulatali, South 24 Parganas are hereby acquitted from the charge u/s 498A/34 of IPC as per provision laid down in the section 248(1) CrPC.

The accused persons are discharged from their respective bail bonds.

No order is passed u/s 452 of the Cr PC as because the seized articles were handed over to the complainant Pallabi Halder by the I.O. of this case during the course of investigation on her Zimba by executing Zimmanama and during the course of trial, there has been no such claim upon the seized stridhan articles from the side of the accused persons.

The defecto complainant cum victim has the right to prefer an appeal under the proviso to Sec. 372 CrPC and if necessary, to avail free legal assistance through the legal services authorities concerned to prefer and prosecute such appeal against the judgement of acquittal of the accused persons.

Let a copy of this judgement be sent to the Secretary, DLSA, South 24 Parganas and District Magistrate, South 24 Parganas.

Let the Judgment written in separate sheets be kept with the record. Concerned Clerk is directed to consign the record to the record room on expiry of statutory period maintaining all formalities.

Dictated and corrected by me

Sd/-

A.C.J.M,
2nd Court, Baruipur
South 24 Parganas

Sd/-

A.C.J.M,
2nd Court, Baruipur
South 24 Parganas.
J.O. Code WB00945