

In the Court of Sri R. K. Pandey J.M.Ist. Class, Bermo at Tenughat

PRESENT:

Raj Kumar Pandey
J.M.Ist. Class, Bermo at Tenughat
J.O. Code-JH00661

Bermo at Tenughat
Dated 06th July, 2026

C.P No.-211/2025
C.N.R. No.-JHBT030009542025
T. R. NO.- 192/2026

J U D G E M E N T

Details of FIR/Crime and Police Station

Suraj Mal Paswan	Complainant
Represented by	Sri Ashok Kumar Yadav, Ld.Advocate
Accused persons	1. Avinash Kumar Paswan, S/o Rameshwar Paswan, aged about 40 years, (A1) 2. Rameshwar Paswan, S/o late Dinananth Ram, aged about 65 years, (A2), both r/o Mouza Hurhuru, P.S. Sadar, Distt. Hazaribagh.
Represented by	Sri Wakil Mahto Ld. Advocate

Date of offence	08.12.2024
Date of complaint	04.03.2025
Date of cognizance	20.02.2026
Date of substance/Charge	27.06.2026
Date of Commencement of evidence	27.06.2026
Date on Judgment is reserved	27.06.2026
Date of Judgment	06.07.2026
Date of Sentencing order	-
Uploaded in CIS on	02.04.2026

A c c u s e d D e t a i l s

Rank of the accused	Name of the accused	Date of arrest	Date of released on bail	Offence s charge with	Whether Acquitted or Convicted	Sentence imposed	Period of Detention Undergone during trial for purpose of section 428 Cr.P.C
A1	Avinash Kumar Pawan	27.6.26	27.6.26	u/Ss 115 (2), 316(2) of IPC & section 4 of the D.P.Act	Acquitted	-	-
A2	Ramesh war Paswan	27.6.26	27.6.26	u/Ss 115 (2), 316(2) of IPC & section 4 of the D.P.Act	Acquitted	-	-

1. The above named accused persons stood charged for offence **u/Ss- u/Ss 115 (2), 316(2) of IPC & section 4 of the D.P.Act** and faced trial for the same.

2. CASE OF COMPLAINANT IN BRIEF :-

Case of the complainant as per typed complaint of the complainant namely Suraj Mal Paswan in brief is that complainant set his sister marriage with the accused no. 1 Avinash Kumar after negotiation on 11.12.2024 and complainant gave Rs. 4,00,000/- to the accused persons as advance and promised them remaining amount of Rs 2,00,000/- would be paid before the marriage to the accused persons and their ring ceremony was performed at Hazaribagh Sagun Vatika Hotel on 11.08.20024 and in the

alleged ring ceremony complainant spent Rs1,25,000/- He further alleged that complainant caught off guard when accused no.2 informed them about the cancellation of the marriage. He further alleged that in this regard a Panchyati was convened but all in vain. Hence , this case.

3. On the basis of complaint petition this court conducted inquiry and S.A of the complainant and found a prima facie case u/Ss- **u/Ss 115 (2), 316(2) of IPC & section 4 of the D.P.Act** against accused persons and issued summon against them on dt.-13.05.2026
4. After appearance of accused charges have been framed **u/Ss 115 (2), 316(2) of IPC & section 4 of the D.P.Act** in Hindi to which they pleaded not guilty and claimed to be tried v.o.d.-27.06.2026.
5. After closure of evidence for prosecution/complainant, statement of accused persons were recorded u/s- 313 Cr.P.C. The case of defence is of complete denial from occurrence and of false implication. However, defence has not adduced oral evidence in order to controvert the prosecution/complainant case.

The points for determination

6. Now the point for determination before this Court is that whether prosecution/complainant has been able to establish the guilt of accused person beyond reasonable doubts or not ?

F I N D I N G S

List of Prosecution Witnesses

Rank	Name	Nature of Evidence
PW1	Suraj Mal Paswan	Complainant
PW2	Aditi Kumari	Sister of the complainant

List of Prosecution/Defence Exhibits

A. Prosecution:

Sr.No.	Exhibits	Description
1.	-	-

B. Defence:

Sr.No.	Exhibits	Description
1.	-	-

The decision thereon:-

7. To prove its case the prosecution/ complainant has examined altogether two witnesses including the complainant himself in support of his case.

8. **P.W.-1** in examination in chief that he has finalized his sister marriage with the A1 Avinash Kumar Paswan when the accused refuse to marry with his sister then he has filed this case against the accused persons.

In his cross-examination he has stated that after set of the marriage he gave Rs. 2,51,000/- to the accused persons and the alleged amount was returned by the accused persons thereafter he has compromised the case with the accused and he does not want to contest the case further and does not want to give evidence in this case. He has further stated that if the case is disposed of on the basis of compromised he has no problem.

9. PW2 is the sister of the complainant and this case filed her brother against the accused persons.

In her cross-examination she has stated that her marriage was set with the Avinash Kumar Paswan but her marriage was not got with due to

some reason. She has further stated that with her consent and her family member consent her father compromised the case with the accused persons. Her father gave Rs. 2,51,000/- to the accused persons for expenses and the alleged amount was returned accused person to her brother. She further stated that she and her brother have not wanted to contest the case further . She has further stated that she is no problem if the case is disposed off on the basis of compromised.

10. Defence has not adduced any evidence in this case.
11. Both counsels submitted that both the parties compromise the case and they have not wanted to contest the case further and complainant has no problem if the case is disposed of on the basis of compromised.
12. Heard and considered the respective arguments advanced by both counsels appearing on behalf of the complainant and accused, perused entire case record. On careful perusal of case record, Complainant has examined two witnesses including the complainant. Both the witnesses have stated that they have compromised the case with the accused and they do not want to contest the case further and if the case is disposed of on the basis of compromised they have no problem
13. On the basis of discussion made herein above. I find and hold that Prosecution/complainant failed to prove even basic elements of Sections **U/S- 115 (2), 316(2) of IPC & section 4 of the D.P.Act** Therefore, the charges remain unproved. The prosecution/complainant has not been successful in bringing home the charges leveled against the accused persons beyond the shadows of reasonable doubts.

O R D E R E D

I find and hold accused persons namely **Avinash Kumar Paswan & Rameshwar Paswan** are not guilty for the charges u/Ss- **115 (2), 316(2) of IPC & section 4 of the D.P.Act** therefore, they are acquitted thereunder, they and their bailors are hereby discharged from the liabilities of their respective bails bonds.

(Dictated &Corrected by me)

(Pronounced by me)

Sd/-

Sd/-

(Raj Kumar Pandey)
J.M. Ist. Class,
Bermo at Tenguhat
Dated 06th July, 2026

(Raj Kumar Pandey)
J.M. Ist. Class,
Bermo at Tenguhat
Dated 06th July, 2026