

GR No. 6604 of 2021 (Reg No.3165 of 2022)
T.R No. 172 of 2022
CNR No.WBHW WBHW04-004880-2022

Order dated: 23.08.2022

Today is fixed for appearance.

Accused persons namely, Samrat Mukherjee, Sulata Mukherjee, Soma Banerjee @ Moumita Banerjee, Madan Mohan Mukherjee and Sandip Banerjee on Court bail are present by filing hazira.

Defacto complainant namely, Aritri Mukherjee is present before the Court with her Ld. Advocate and files fresh vokalatnama.

Ld. Advocates for both the parties have submitted that the dispute between the parties have been amicably settled and pray for expeditious disposal of the case.

Ld. APP is present.

Heard the parties and their Ld. Advocates.

Accordingly record is taken up for consideration of charge as per prayer of both sides.

Perused the materials on record. Heard both sides.

Considering the fact and circumstances of the case it appears there is sufficient ground for presuming that the accused persons have committed the offence punishable u/s 498A/34 of IPC. Accordingly the charge is framed in the prescribed form u/s 240 of Cr.P.C Punishable under section 498A/34 of IPC against accused persons and the contents of charge is read over and explained to the accused persons to which they pleaded not guilty by saying "AMRA NIRDOSH" and claimed to be tried.

Now the record is taken up for evidence in presence of both sides.

Defacto-complainant namely, Aritri Mukherjee has been examined as P.W.-1 cross examined in full and discharged. Her signature on the written complaint dated 19.11.2021 is marked as Exhibit-1.

On the prayer of Learned APP evidence for prosecution stands closed.

Later:

Now, the accused persons are examined under section 313 Cr.P.C. one by one and the same has been recorded in the prescribed form and kept with the record. The contents of examination is read over and explained to the accused persons in Bengali. The accused persons state that they will not examine any witness in their defence.

Accordingly the case record is taken up for hearing argument of both sides.

Heard the argument of both sides at length.

Judgment is prepared in separate two sheets of paper and signed by me with date and official seal and pronounced in the open court in presence of both sides.

The operative part of the said judgment and order runs as follows.

Hence, it is,

O R D E R E D,

That the accused namely, Samrat Mukherjee, Sulata Mukherjee, Soma Banerjee @ Moumita Banerjee, Madan Mohan Mukherjee and Sandip Banerjee are found not guilty of the offence punishable U/S 498A/34 of the Indian Penal Code and they are acquitted u/s 248(1) Cr.P.C and set them at liberty from their respective bail bonds.

The seized alamaths if any be confiscated to the state.

Let the copy of this judgement be sent to DLSA, Howrah and District Magistrate, Howrah for information.

Dictated & Corrected by me

Judicial Magistrate

7th Court, Howrah.