

In the Court of Sessions Judge, Birbhum at Suri.

Sessions Case – 211 of 2024

(CNR No. WBBB01-002337-2024)

Present:- Smt. Arti Sharma Roy (WB00149)

Sessions Judge, Birbhum.

Order no. 17

Dt. 10.04.2026 at 04:00 p.m

Heard the convict Kanai Bagdi in person with her engaged Lawyer.

It is submitted by the convict that he is a first time offender. He has clean antecedent as a farmer. He is having his aged parents, wife and minor child in his house. He prays for lenience to be shown to him.

On the other hand, Ld. PP for the State has argued for maximum punishment as the prosecution case has been proved beyond reasonable doubt and the convict does not deserve any mercy.

Ld. Advocate for the convict prayed that the convict be given benefit under Section 360 of the Cr.P.C / granted with the benefit of Probation of Offenders Act.

Heard all sides.

The aggravating circumstance in this case is the fact revealing that the accused disproportionately reacted over a drainage dispute and voluntary caused hurt to the complainant – injured (PW-1) and also PW-2, a septuagenarian woman. His guilt is proved beyond reasonable doubt.

The mitigating factor for consideration of sentence is certainly that the convict is a cultivator by occupation. He has no criminal antecedent. He is a first time offender.

I have considered the aggravating circumstances and also mitigating circumstances in present case and I am of strong view that the convict cannot be released on provision of good conduct on account of the fact and circumstances of this case.

On overall consideration of facts and circumstances, it is

ORDERED

that the convict Kanai Bagdi is sentenced to suffer simple imprisonment for two months for the offence under Section 323 of the Indian Penal Code.

The period of detention undergone by the convict be set off against the period of imprisonment in view of Sec.428 of the Code of Criminal Procedure.

Contd....

Sessions Case – 211 of 2024

Dt. 10.04.2026 at 04:00pm

Copy of judgment be supplied to the convict free of cost.

The convict is informed that he has a right to prefer appeal against this judgment and that if he cannot afford an advocate, he can approach the Secretary, District Legal Services Authority, Birbhum at Suri.

Let a copy of the entire judgment with copy of order of sentence be sent to the District Magistrate, Birbhum and the Secretary, DLSA, Birbhum at Suri and for information and taking necessary action.

Make necessary note in the trial register.

Dealing Assistant is directed to do needful.

Dictated & corrected by me,

Sessions Judge, Birbhum.

Sessions Judge, Birbhum.
(JO Code-WBB00149)