

**PREFACE**

**Pg-1**  
**Form A**

|                                                                                                                                    |                                     |
|------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|
| <b>IN THE COURT OF ADDL. CHIEF JUDICIAL MAGISTRATE (1<sup>st</sup> CLASS), DANTAN, PASCHIM MEDINIPUR</b>                           |                                     |
| <b>Present: Smt. Euepundee Lepcha</b><br>Addl. Chief Judicial Magistrate,<br>Dantan, Paschim Medinipur<br>JO Code (UID No)-WB00941 |                                     |
| <b>Date of the Judgment: 06.04.2026</b>                                                                                            |                                     |
| <b>G.R Case No. 501-2022</b>                                                                                                       |                                     |
| [Mohanpur P. S. Case No. 147/2022 dated 10.06.2022 punishable u/s sec 341/323/325/354/506/34 of IPC].                              |                                     |
| COMPLAINANT                                                                                                                        | STATE OF WEST BENGAL                |
| REPRESENTED BY                                                                                                                     | Mr. Rabi Sankar Nanda , LD. A. P. P |
| ACCUSED                                                                                                                            | Sk Sawaukat @ Soukat and 05 others  |
| REPRESENTED BY                                                                                                                     | Ld. Advocate Sri. Makhan Barik      |
|                                                                                                                                    |                                     |

**FORM B**

|                                      |            |
|--------------------------------------|------------|
| Date of Offence                      | 10.06.2022 |
| Date of FIR                          | 10.06.2022 |
| Date of Charge sheet                 | 25.06.2022 |
| Date of Framing of Charges           | 18.01.2025 |
| Date of commencement of Evidence     | 06.04.2026 |
| Date on which Judgment is reserved   |            |
| Date of the Judgment                 | 06.04.2026 |
| Date of the Sentencing Order, if any | Acquittal  |

Accused details: -

| Rank of Accused | Name of the Accused | Date of arrest | Date of 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. |
|-----------------|---------------------|----------------|-------------------------|-----------------------|--------------------------------|------------------|-----------------------------------------------------------------------------|
|                 |                     |                |                         |                       |                                |                  |                                                                             |

Form C

LIST OF PROSECUTION / DEFENCE / COURT WITNESSES

A. Prosecution Witnesses: -

| RANK  | NAME        | NATURE OF EVIDENCE<br>(EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS, OTHER WITNESS) |
|-------|-------------|--------------------------------------------------------------------------------------------------------------------|
| P.W.1 | Majeda Bibi | complainant                                                                                                        |
| Pw-2  |             |                                                                                                                    |
|       |             |                                                                                                                    |

B. Defense Witnesses, if any: -

| RANK | NAME | NATURE OF EVIDENCE<br>(EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS, OTHER WITNESS) |
|------|------|--------------------------------------------------------------------------------------------------------------------|
|      | NIL  |                                                                                                                    |

C. Court Witnesses, if any: -

| RANK | NAME | NATURE OF EVIDENCE<br>(EYE WITNESS, POLICE WITNESS,<br>EXPERT WITNESS, MEDICAL WITNESS,<br>PANCH WITNESS, OTHER WITNESS) |
|------|------|--------------------------------------------------------------------------------------------------------------------------|
|      | NIL  |                                                                                                                          |
|      |      |                                                                                                                          |

LIST OF PROSECUTION / DEFENCE / COURT EXHIBITS

A. Prosecution:

| Sr. No. | Exhibit Number | Description |
|---------|----------------|-------------|
| 1.      | Exbt-1         | --          |
| 2.      | Exbt-2         | Nil         |
| 3.      | Exbt-3         |             |
| 4.      | Exbt-4         |             |
| 5.      | Exbt-5         |             |

B. Defense:

| Sr. No. | Exhibit Number    | Description |
|---------|-------------------|-------------|
| 1       | Exhibit D-1 /DW1  | Nil         |
| 2       | Exhibit D-2 / DW2 |             |

C. Court Exhibits: -

| Sr. No. | Exhibit Number   | Description |
|---------|------------------|-------------|
| 1       | Exhibit C-1 /CW1 | Nil         |
|         |                  |             |

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**In the Court of the Additional Chief Judicial Magistrate  
Dantan, Paschim Medinipur**

**Present: Smt. E. Lepcha**

**G.R- 501 of 2022**

**Regd No- 784 of 2022**

**CNR No. WBWB0G-001186-2022**

**Under sections- 341/323/325/354/506/34 of the Indian Penal Code.**

**STATE**

**VERSUS**

**1. Sk Sawaukat @ Soukat and 05 others.**

**....accused persons.**

**Date of delivery of Judgment- 6<sup>th</sup> day of April, 2026.**

### **J U D G E M E N T**

The case of the prosecution in a nutshell is that on at 16.43 hrs one Majeda Bibi W/O Sk Kudrat of vill. Rampura, P.S.Mohanpur, Dist.Paschim Medinipur lodged a written complaint before Mohanpur P.S to the effect that on 10.06.2022 at about 07:00 hours, the accused persons with common intention and criminal intimidation started fencing on the land of the complainant when complainant and her husband raised objection the accused persons assaulted them with fists, blows, lathi, rod. When neighbour namely Astara Bibi came to rescue them the accused persons also assaulted her, outraged her modesty too.

Hence, this case.

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On the basis of the written complaint which is treated as an FIR, a criminal case was set in motion by police personnel of Mohanpur P. S. being Case No.147/2022 dated 10.06.2022 punishable u/s sec 341/323/325/354/506/34 of the IPC against the accused persons.

Investigation was started by police and on its completion charge sheet was submitted against the accused persons being charge sheet no. 127/2022 dated 25.06.2022 under section 341/323/325/354/506/34 of the IPC against the accused persons.

Thereafter, the case was taken to the file of the Court of Ld. ACJM, Dantan for trial and disposal.

The Court on being satisfied prima-facie framed charges against the accused persons under section 341/323/325/354/506/34 of the IPC the charge so framed were read over and explained to the accused persons to which the accused persons pleaded not guilty and claimed to be tried.

**POINTS FOR CONSIDERATION**

Now the point for consideration is whether the prosecution has been able to bring home the charge against the accused person under section 341/323/325/354/506/34 of the IPC. beyond any reasonable doubt ?

**DECISION WITH REASONS**

The prosecution has examined only one witness i.e Majeda Bibi as P.W-1 in this case.

Csw-1 Majeda Bibi was examined as P.W-1 in this case. During her examination-in-chief she stated she cannot recollect anything about the case at present.

Her cross examination was declined by the side of accused Advocate.

Considering the evidence of Pw-1, the nature of the case the evidence in this case is closed, as it would have been abuse of process of Court.

The examination of the accused persons under section 313 of the Cr.P.C is dispensed with having no materials in the evidence.

### **DECISION WITH REASONS**

Heard the Ld. Advocate for the accused persons and Ld. APP .

In the instant case, the prosecution was able to produce only one witness and the witness who being the complainant herself could say nothing about the case.

Thus, considering the evidence on record, I find that prosecution has failed to prove the charges as alleged and the accused persons are liable to be acquitted from this case.

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Accordingly, the accused persons are acquitted from this case.

Hence it is,

**ORDERED**

that the accused persons namely **1.Sk Sawaukat @ Soukat 2. Sakera Bibi 3. Sersaha Kaji 4. Saynaj Bibi 5. Sahajan Kaji 6. Sayida Bibi** are not found guilty for the offences under section 341/323/325/354/506/34 of the Indian Penal Code and they are acquitted under section 248 (1) of the Code of criminal Procedure.

The accused persons be discharged from their respective bail bonds.

**Dictated and corrected by me**

**E. Lepcha  
A.CJ.M., Dantan**

**E. Lepcha  
A.CJ.M. Dantan**