

Form A

IN THE COURT OF ADDITIONAL CHIEF JUDICIAL MAGISTRATE RAGHUNATHPUR, DISTRICT – PURULIA Present : Sarmistha Ganguly Additional Chief Judicial Magistrate, Raghunathpur, Purulia Date of the Judgment: 5th day of June, 2026 Case No. GR 716 of 2023 (Registration No. 349 of 2024) (CNR No.-WBPU060005272024)  (Arising from Kashipur P.S Case No. 137/2023 dated 13.12.2023 u/s. 498A/323/406/448/34 of the Indian Penal Code)	
Complainant	State of West Bengal
Represented by	Name of the Advocate : Assistant Public Prosecutor
Accused	1. Pradip Mandal 2. Gita Mandal 3. Sundar Singh Sardar @ Sudarshan
Represented by	Name of the Advocate : Shri Ravibhusan Sharma

FORM B

Date of Offence	Since after marriage and lastly on 12.12.2023
Date of F.I.R.	13.12.2023
Date of Police report	31.12.2023
Date of framing Charge against the accused	17.01.2025
Date of commencement of Evidence	04.06.2026
Date of examination of the accused u/s. 313 of the Cr.P.C.	05.06.2026
Date on which Judgment is reserved	
Date of Judgment	05.06.2026
Date of the Sentencing Order, if any	

Accused details:

Rank of the Accused	Name of Accused	Date of arrest/surrender	Date of release on Bail	Offences charged with	Whether acquitted or convicted	Sentence imposed	Period of Detention Undergone during Trial for purpose of Section 428 Cr.P.C.
1.	Pradip Mandal	18.12.2023	18.12.2023	u/s. 498A/323/448/406/34 IPC	Acquitted		
2.	Gita Mandal	18.12.2023	18.12.2023	u/s. 498A/323/448/406/34 IPC	Acquitted		
3.	Sundar Singh Sardar @ Sudarshan	18.12.2023	18.12.2023	u/s. 498A/323/448/406/34 IPC	Acquitted		

Form C

LIST OF PROSECUTION /DEFENCE /COURT WITNESSES

A. Prosecution:

RANK	NAME	NATURE OF EVIDENCE (EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS, OTHER WITNESS)
P.W. 1	Priyanka Mondal	Defacto complainant-cum-victim
P.W. 2	Nemai Mondal	Father of the de facto complainant

B. Defence Witnesses, if any :

RANK	NAME	NATURE OF EVIDENCE (EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS, OTHER WITNESS)
DW 1		
DW 2		

C. Court Witnesses, if any :

RANK	NAME	NATURE OF EVIDENCE (EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS, OTHER WITNESS)
CW 1		
CW 2		

LIST OF PROSECUTION / DEFENCE / COURT EXHIBITS

A. Prosecution :

Sr. No.	Exhibit Number	Description
1.	Exhibit 1/1 by P.W-1	Signature of the complainant on the written complaint

B. Defence:

Sr. No.	Exhibit Number	Description
1.	Exhibit D-1 / D.W.1	
2	Exhibit D -2 / D.W.2	

C. Court Exhibits :

Sr. No.	Exhibit Number	Description
1	Exhibit C-1 / C.W.1	
2	Exhibit C-2 /C.W.2	

D. Material Objects:

Sr. No.	Material Object Number	Description
1	Mat Exhibit -1	
2	MO 2	

J U D G M E N T

Facts of the Prosecution Case :

The prosecution case has its genesis in a written complaint lodged by the defacto complainant Priyanka Mondal before the O.C. Kashipur P.S. on 13.12.2023 to the effect that she had been married with the accused Pradip Mondal about 14 years back as per Hindu rites and customs and also has two daughters and a son born out of said wedlock but of the said children, the husband of the complainant along with her parents-in-law had started to abuse and insult the complainant on repeated occasions and also inflicted physical torture upon her. The complainant has further alleged that on 10.12.2023 at about 09:30 A.M. in the morning the husband and the mother-in-law of the complainant snatched the gold ear ring of the complainant and also cash of Rs. 5000/- which was kept with her and thereafter the said accused persons compelled her to quit her matrimonial residence and take shelter in her father's house. It has also been alleged by the complainant that on 12.12.2023 at about 06:30 P.M. in the evening, the husband of the complainant along with another accused namely Sundar Singh Sardar had suddenly arrived at the house of the father of the complainant and had started to assault the complainant and her father Nema Mondal and after both of them had raised hue and cry, the local people had arrived and the accused persons had fled from the spot. Hence, the present written complaint has been lodged by the complainant against the accused persons with the prayer for punishing them as per the existing provisions of law.

On receipt of the aforesaid complaint, the **O.C. of Kashipur P.S.** started **Kashipur P.S Case No.137/2203 dated 13.12.2023** under sections **498A/323/406/448/34 of IPC** against all the three accused persons which culminated into the submission of charge-sheet against all the three accused persons for the offence punishable under sections **498A/323/406/448/34 of IPC.**

Thereafter, charge have been framed against all the three accused persons **for the offences punishable u/s. 498A/323/406/448/34 of IPC** and the contents of the charges for the above offences have been read over and explained to all the three accused persons in their local language, to which all the three accused persons have individually pleaded not guilty and claimed to be tried and hence, this trial.

After closing the evidence of the prosecution, all the three accused persons have been examined **under section 313 of Cr.P.C.**, wherein the accused persons have declined to adduce any defence witness. The defence plea, as appearing from the trends of cross examination of the prosecution witnesses and examination of the accused persons under section 313 of Cr.P.C. and the submission of the Ld. Defence Counsel, is bearing the innocence of all the three accused persons above named.

Points for Consideration

(1) Did the accused persons commit the offence punishable under sections **498A/323/406/448/34 of IPC?**

Decision with Reason

The prosecution has produced only two witnesses to establish the charges leveled against the accused persons. The defacto complainant in the present case, namely **Priyanka Mondal (P.W.-1)** has stated in her deposition that she had lodged the written complaint in the present case against the accused persons which was scribed as per her instruction but she was unable to recollect the name of the person who had drafted the same though her signature on the written complaint was marked as Exhibit 1/1 during her deposition. The complainant further stated in her deposition that she had lodged the written complaint in the present case against her husband Pradip Mondal and other accused persons out of certain misunderstanding with them but at present the said disputes have been amicably settled and she is having no further allegations against them.

In her cross-examination, the complainant admitted the fact that she is having no objection if the accused persons are acquitted of this case.

The father of the complainant namely one Nemai Mondal, who is also a victim in the present case, has deposed before this Court as PW2 on behalf of the prosecution who stated that the complaint had been lodged by the complainant out of certain misunderstandings with the accused persons but at present the disputes have been settled between her and her husband and other in-laws and he is having no further allegations against them.

In view of the fact that the matter has been settled between the parties, further examination of the prosecution witness has been closed on the verbal prayer of the Ld. APP.

On going through the evidence on record, it reveals to this Court that the complaint in this case has been lodged on account of certain misunderstandings between the complainant and the accused persons but at present the said disputes have been amicably settled and that she is having no allegations against the accused persons at present. It also reveals that the father of the complainant who has been examined as PW2 has corroborated her evidence and has also admitted clearly that the matter in dispute between the parties have been amicably settled at present and that he is also having no further allegations against the accused persons.

Considering the aforesaid discussions, this Court has no hesitation to hold that the prosecution has hopelessly failed to establish the charges and accusations leveled against the all the three accused persons for the offences punishable under sections **498A/323/406/448/34 of IPC** and accordingly, all the three accused persons above named are liable to be acquitted from the present case as well as from all the charges and accusations leveled against them under **section 248 (1) of the Code of Criminal Procedure.**

Hence, it is,

ORDERED

that all the three accused persons, namely Pradip Mandal, Gita Mandal and Sundar Singh Sardar @ Sudarshan are found not guilty of the offence punishable under sections 498A/323/406/448/34 of the Indian Penal Code and accordingly, all the three accused persons above named are hereby acquitted from the present police case as well as from all the charges and accusations leveled against them, in terms of the provision enumerated under section 248 (1) of the Code of Criminal Procedure.

All the three accused persons above named are hereby set at liberty and stand discharged from their respective bail bonds.

D/C.

Sd/-

A.C.J.M., Raghunathpur

Sd/-

(Sarmistha Ganguly)

A.C.J.M. Raghunathpur,

District - Purulia