

**IN THE COURT OF JUDICIAL MAGISTRATE, 2ND  
COURT, ASANSOL, PASCHIM BARDHAMAN**

**Present: Nilanjana Banerjee,  
Judicial Magistrate,  
2<sup>nd</sup> Court, Asansol**

**G.R. Case No. 3112/2016  
T.R. Case No. 594/17**

**STATE OF WEST BENGAL  
..... Prosecution**

**-Vs**

**Jagjit @Jagdish Singh  
.....Accused Person**

**T. Konar  
..... Learned advocate for the prosecution.**

**..... Learned advocate for the accused.**

**(Offence punishable u/sec. 323/341/325/506 of I.P.C)**

**Date of delivery of Judgment: 03.03.2020**

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

This case has arisen on a FIR filed by one Ajay Deb Sharma before the OC, PS Asansol (S) on 01.12.16.

On basis of that FIR, O/C Asansol (S) P.S filed case No. 501/16 dated 01.12.16 against the accused person namely Jagdish Singh. After investigation police has submitted charge-sheet under Sections 341/323/325/506 of

I.P.C against the accused person namely Jagjit@ Jagdish Singh.

On perusal of charge-sheet and other relevant documents, this Court has framed charge under Section 323/341/506/325 of I.P.C against the accused person namely Jagjit@ Jagdish Singh wherein he pleaded not guilty and claimed to be tried and who is facing trial.

**Prosecution case in brief is that:**

On 01.12.20216 at about 10.00 am to 10.30 am at 1 no. Mohishila colony party office alley the accused person wrongfully restrained the complainant/ Ajay Deb Sharma and voluntarily caused hurt to him with fist and blow and threatened him.

Defence has not adduced any evidence but from the answers of the questions u/sec. 313 Cr.P.C and the cross-examinations, the defence case appears to be nothing but the denial of the prosecution allegations.

**POINTS FOR DECISIONS.**

1. Whether the accused person wrongfully restrained the complainant/ Ajay Deb Sharma?
2. Whether the accused person voluntarily caused hurt to him ?
3. Whether the accused person voluntarily caused grievous hurt to him?
4. Whether the accused person committed criminal intimidation by threatening the complainant with dire consequence ?

5. Whether the prosecution has proved its case beyond all reasonable doubts?

**DECISION WITH REASONS**

The prosecution failed to adduce any evidence in this case in spite of getting several opportunities. The case is pending since 2018. Considering all, I think the prosecution could not prove its case.

In result, prosecution case fails.

Hence, it is

**ORDERED**

that the accused person namely Jagjit @Jagdish Singh is found not guilty for commission of offence punishable under Sections 323/341/506/325 of I.P.C and he is acquitted from this case under the provision of Section 248 (1) of Cr.P.C. and set at liberty at once.

The accused person be released from his bail bond.