

Form No. (M) 34

FORM A

**IN THE COURT OF THE CHIEF JUDICIAL MAGISTRATE, ASANSOL,
PASCHIM BARDHAMAN.**

**Present: Smt Indrani Gupta,
Chief Judicial Magistrate,
JO Code WB 00994**

Date of delivery of judgement: The 20th day of April, 2026

**G.R Case No. 957 Of 2025
CIS No. 188 of 2026
CNR WBB160- 04828-2026
T.R. No.45 of 2026**

**Raniganj P.S. Case No. 102/2025 dtd. 09.04.25 u/s 329(4)/115(2)/117
(2)/118(2)/75/76/351(2)/3(5) of BNS Act**

COMPLAINANT	State of West Bengal
REPRESENTED BY	Ld. APP Sri.Manoj Kumar Singh
ACCUSED	Biswajit Kumar Ray @ Yadav, Kusum Yadav @ Kusum Devi, Raju Yadav and Bishal Kumar Ray Yadav
REPRESENTED BY	A.K.Yadav

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FORM B

Date of Offence	On 08.04. 2025
Date of FIR	On 09.04.2025
Date of Chargesheet	On 30.06.2025
Date of Framing of Charge	On 18.04.2026
Date of commencement of Evidence	On 18.04.2026
Date on which Judgement is reserved	Not applicable
Date of Judgement	On 20.04.2026
Date of the Sentencing Order, if any	Not applicable

Accused details:

Rank of the 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 Section 428, Cr.P.C.
1.	Biswajit Kumar Ray @ Yadav	10.04.2025	10.04.2025	Section 351(2)/115(2))/75/3(5) of BNS Act	Acquitted	N.A.	N.A.
2	Kusum Yadav @ Kusum Devi	09.06.2025	09.06.2025	Section 351(2)/115(2))/75/3(5) of BNS Act	Acquitted	N.A.	N.A.

3	Raju Yadav	09.06.2025	09.06.2025	Section 351(2)/115(2)/75/3(5) of BNS Act	<i>Acquitted</i>	N.A.	N.A.
4	Bishal Kumar Ray Yadav	09.06.2025	09.06.2025	Section 351(2)/115(2)/75/3(5) of BNS Act	<i>Acquitted</i>	N.A.	N.A.

JUDGEMENT

Facts of the case

1. The written complaint dated 09.04.2025 filed by the complainant Sarita Devi was treated as FIR and accordingly, Raniganj P.S. Case No. 102/2025 dtd. 09.04.25 u/s 329(4)/115(2)/117 (2)/118(2)/75/76/351(2)/3(5) of BNS Act.
2. On 08.04.2025 in between 07.30 to 08.00 P.M. the accused persons entered into the paternal house of the complainant and also assaulted her, her brother with iron plate and her sister. The accused no. 1 and 2 also tried to out raged the modesty of her sister and threatened them and their family members.
4. On completion of investigation, submitted charge sheet being charge sheet no. 172 of 2025 dated 30.06.2025 against the accused persons under sections 329(4)/115(2)//351(2)/75/3(5) of BNS Act
5. The accused persons surrendered before this court and was released on bail on 10.04.2025 and 09.06.2025. Considering the materials on record, this Court framed charge against accused person for the commission of offence punishable u/s 351(2)/115(2)/75/3(5) of BNS Act. Said charge was read over and explained to the accused persons to which they pleaded innocence and claimed to be tried.
6. The accused persons were examined under section 351 of BNSS Act and during examination they declined to adduce evidence on his behalf.
7. The defence case is of plea of innocence.

POINTS FOR CONSIDERATION

8. Considering the materials on record, this Court framed charge against accused persons for the commission of offence punishable u/s 351(2)/115(2)/75/3(5) of the BNSS. Said charge was read over and explained to the accused persons to which they pleaded innocence and claimed to be tried

DECISION WITH REASONS

Value of oral evidence of the prosecution

10 P.W. 1, being the complainant of this case deposed in court and identified the accused persons in open Court and stated that on the date of the incident a dispute and argument had taken place over the previous grudges. She further stated that out of anger and misunderstanding, she lodged the present case. She further stated that the disputes have been settled outside Court and that she has no objection if the accused persons are acquitted from this case.

11. P.W.2/ P.W. 3 being the brother/sister of the P.W. 1 and also one of the alleged victims of this case, stated that the case was lodged due to some misunderstanding. They further stated that at present the matter has been amicably settled outside the court and that they have no objection of the accused persons are acquitted from the instant case.

Conclusion

11. At the very outset be at mentioned that though P.W. 1, in her written complaint stated about the accused persons assaulting her and her brother, sister and tried to out raging modesty of her sister and also threatened them, however, P.W. 1 herself and other victims while deposing on dock did not corroborate the said allegation. They merely stated that due to anger and some misunderstanding lodged this case. The prosecution also did not support the allegation of assault by the accused persons upon them.

19. In this case, the prosecution witnesses examined, failed to corroborate the claims made in the FIR against the present accused persons. The prosecution has failed to sustain the charge leveled against the present accused persons u/s 351(2)/115(2)/75/3(5) of the Bharatiya Nyaya Sanhita. The accused persons are thus liable to be acquitted.

20. In view of the above discussion it is

ORDERED

that the accused persons namely Biswajit Kumar Ray @ Yadav, Kusum Yadav @ Kusum Devi, Raju Yadav and Bishal Kumar Ray Yadav are not found guilty of the offence u/s 351(2)/115(2)/75/3(5) of the Bharatiya Nyaya Sanhita and therefore, they are acquitted u/s 271 (1) of BNSS. Accused persons are discharged from their bail bond and set to liberty at once.

Seized documents if any be returned from whom seized.

Inform the complainant through the Secretary, District Legal Services Authority, Paschim Bardhaman, of her right to prefer an appeal under proviso to section 372 of Cr.P.C. against this judgement.

Let a copy of this judgement be sent to the District Magistrate, Paschim Bardhaman in terms of the direction of the Hon'ble Calcutta High Court made in the case of Sabitri Bhunya VS the State of West Bengal and Others (CRA 266/2020 with CRAN 01/2020) for information.

Note in the T.R.

Dictated & Corrected,

C. J. M.,

*Chief Judicial Magistrate,
Paschim Bardhaman.
20.04.2026*

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APPENDIX**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)
PW-1	Sarita Devi	Complainant
PW-2	Bablu Kumar Rai	Victim
PW-3	Bharati Rai	Victim

B. Defence Witnesses, if any:

RANK	NAME	NATURE OF EVIDENCE (EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS OTHER WITNESS)
N.A.	N.A.	N.A.

C. Court Witnesses, if any:

RANK	NAME	NATURE OF EVIDENCE (EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS OTHER WITNESS)
N.A.	N.A.	N.A.

LIST OF PROSECUTION / DEFENCE / COURT EXHIBITS**A. Prosecution:**

Sr. No.	Exhibit Number	Description
1	Exhibit- 1	Written complaint

B. Defence:

Sr. No.	Exhibit Number	Description
N.A.	N.A.	N.A.

C. Court Exhibits:

Sr. No.	Exhibit Number	Description
N.A.	N.A.	N.A.

D. Material Objects:

<i>Sr. No.</i>	<i>Material Object Number</i>	<i>Description</i>
<i>N.A.</i>	<i>N.A.</i>	<i>N.A.</i>

Dictated & Corrected,

C. J. M., CJM.

*Chief Judicial Magistrate,
Paschim Bardhaman.
20.04.2026*