

GR CASE NO. 474-2015  
CIS GR CASE NO. 4741-2015  
State of West Bengal Vs. Bhaben Barman and Two Others  
Under Section 498A of Indian Penal Code  
FORM A

|                                                                                                                                                                                                                                                                                                                                                                      |                                                        |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------|
| IN THE COURT OF LD. ADDITIONAL CHIEF JUDICIAL MAGISTRATE,<br><br>DINHATA, COOCH BEHAR<br><br>Present: Smt. Dewyani Rai<br><br>Additional Chief Judicial Magistrate, Dinhata, Cooch Behar<br><br>JO Code No. WB 01175<br><br>[ Dated : 24.06.2026 ]<br><br>GR CASE NO. 474-2015<br><br>CIS GR CASE NO. 4741-2015<br><br>( Dinhata P.S Case No. 426 Dated 09.04.2015 ) |                                                        |
| Complainant                                                                                                                                                                                                                                                                                                                                                          | State Of West Bengal                                   |
| Represented by                                                                                                                                                                                                                                                                                                                                                       | Sanjay Barman, Ld. APP                                 |
| Accused                                                                                                                                                                                                                                                                                                                                                              | 01. Bhaben Barman 02. Parimal Barman 03. Dasami Barman |
| Represented by                                                                                                                                                                                                                                                                                                                                                       | Keya Barman                                            |

FORM B

|                                      |                                         |
|--------------------------------------|-----------------------------------------|
| Date Of Offence                      | Since marriage and lastly on 03.02.2015 |
| Date of FIR                          | 09.04.2015                              |
| Date of Charge Sheet                 | 31.08.2015                              |
| Date Of Framing Charge               | 02.06.2026                              |
| Date of Commencement of Evidence     | 22.06.2026                              |
| Date on which Judgement is reserved  | 22.06.2026                              |
| Date of Judgement                    | 24.06.2026                              |
| Date of the sentencing order, if any | NA                                      |

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Under Section 498A of Indian Penal Code

| Rank and Name of the Accused Person                          | Date of Arrest | Date of Release on bail | Offence charged with                    | Whether acquitted or convicted | Sentence imposed | Period of Detention undergone during Trial for purpose of Section 428 CrPc |
|--------------------------------------------------------------|----------------|-------------------------|-----------------------------------------|--------------------------------|------------------|----------------------------------------------------------------------------|
| 01. Bhaben Barman<br>02. Parimal Barman<br>03. Dasami Barman | 04.08.2015     | 04.08.2015              | Under Section 498A of Indian Penal Code | Acquitted                      | NA               | NA                                                                         |

FORM C

A. Prosecution

| RANK | NAME            | NATURE OF EVIDENCE(EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS OTHER WITNESSES) |
|------|-----------------|-----------------------------------------------------------------------------------------------------------------|
| PW-1 | Ranibala Barman | De-facto complainant                                                                                            |

B. Defence witnesses, if any : NA

LIST OF PROSECUTION/DEFENCE/COURT EXHIBITS

A. Prosecution

| Serial Number | Exhibit Number | Description                               |
|---------------|----------------|-------------------------------------------|
| 01.           | Exhibit P-1    | Signature of PW1 on the written complaint |

B. Defence : NA

C. Court Exhibits : NA

D. Material Objects : NA

IN THE COURT OF ADDITIONAL CHIEF JUDICIAL MAGISTRATE,  
DINHATA, COOCH BEHAR

PRESENT : Smt. DEWYANI RAI.

Additional Chief Judicial Magistrate, Dinhata, Cooch Behar.

G.R CASE No. 474-2015

Registration No: GR CASE No. 4741-2015

CNR No. WBCB07-000906-2015

**Name of the parties :**

STATE OF WEST BENGAL

VERSUS

01. Bhaben Barman

02. Parimal Barman

03. Dasami Barman

..... Accused Persons

Under Section 498A of Indian Penal Code

Judgment delivered on the 24 th day of June, 2026.

**JUDGMENT**

This is a case Under Section 498A of Indian Penal Code. The accused persons are booked Under Section 498A of Indian Penal Code.

**Prosecution story in a nut shell:**

The prosecution case, details apart is that, one Ranibala Barman filed a written complaint to the effect that, she was married to accused no. 1 about twenty five to thirty years ago. During her conjugal life she gave birth to four children but presently three are alive. After few years the accused persons started to torture her mentally and physically without any reason. She was assaulted every now and then and was not given to proper food to eat and clothes to wear. They pressurized her to bring Rs. 50,000/- form her paternal house and when the demand was not met, the accused persons increased the extent of torture. Then on 03.02.2015 at about 09.00 a.m. the accused persons assaulted her mercilessly on demand of Rs. 50,000/-. Hence, this case.

**Purports of the proceedings:**

On the basis of the said information, the Dinhata P.S case no. 426 of 2015, dated 09.04.2015 was initiated under Section 498A of Indian Penal Code and the investigation was endorsed to P.S.I of Police, Anthony Horo.

During the investigation the I.O has done the needful and on the completion of the investigation he has submitted charge-sheet U/S 498A of Indian Penal Code of which the cognizance was taken and copy served to the accused persons U/s 207 Cr.P.C. Thereafter the trial began.

On 02.06.2026 the case record was taken up for framing of the charge. The substance of the offence Under Section 498A of Indian Penal Code, was read over and explained to the accused persons to which each of them pleaded 'not guilty' and claimed to be tried under the procedure established by law.

Then on 22.06.2026 one Ranibala Barman was examined as PW-1. Thereafter, the evidence for the prosecution was closed, on the consent of Ld. A.P.P.

The examination of the accused persons U/s 313 of Cr.P.C, was exempted due to lack of incriminating evidence. The accused persons claimed to be innocent and denied all the allegations. The accused persons declined to adduce defence witness.

The accused persons declined to produce any evidence in their behalf. No DWS have been adduced by the accused persons. The defence story had only been the total denial of the prosecution story.

**POINTS FOR DETERMINATION**

- \* Whether the accused persons are guilty of any offences as alleged in the charge sheet?
- \* Whether the prosecution has been able to prove its case ?

I have heard the oral argument advanced by both the parties. I have also gone through the evidences available on record. My decision and reasons for my judgment are discussed below.

## **DECISION**

### **POINT NO. 1 AND 2:**

In this case, the issues are taken together for the sake of convenience and brevity of discussion.

PW-1 is the de- facto, and she has stated that she lodged the complaint due to small family dispute and they tortured her. And she has stated that she has no allegation against the accused persons.

Prosecution has failed to produce any witness who could have had stated anything incriminating against the accused persons.

This has made the whole prosecution case infructuous. There is not even a single scrap evidence to support the prosecution case. Not a single evidence has come in favour of the Prosecution, which can incriminate the accused persons.

Considering these facts and the evidence on record, this Court is constrained to hold the accused not guilty as alleged as there is no dint of evidence against the accused persons. The Prosecution has failed to prove the case beyond reasonable doubt.

Hence, it is,

**ORDERED**

that the present accused persons, namely 01. Bhaben Barman 02. Parimal Barman 03. Dasami Barman are found to be not guilty of the offences Under Section 498A of Indian Penal Code and are hereby acquitted u/s 248(1) of Cr.P.C from the aforesaid charges.

The concerned sureties are discharged from their liabilities. Inform the concerned sureties.

The accused persons be released from the bail bonds.

Let a copy of this judgement be forwarded to DLSA, Alipore, South (24) Parganas for due intimation to the victim under section 2 (wa) of Code of Criminal Procedure.

Let a copy of Ordering portion of the judgement be forwarded to the Learned APP in charge of this case, for the purpose of dispose of the Case Diary as per Law.

Let the copy of the ordering portion of the judgement be forwarded to the General Registrar of Ofences (G.R.O), Baruipur for making necessary noting in the General Register of Offences and drawing up final Memo.

Note in the T.R

Typed by me

Additional Chief Judicial Magistrate  
Dinhata, Cooch Behar  
WBO1175

Additional Chief Judicial Magistrate  
Dinhata, Cooch Behar  
WBO1175