

GR CASE NO. 733-2017

CIS GR CASE NO. 733-2017

State of West Bengal Vs. Chiranjit Debnah and Five Others

Under Section 498A of Indian Penal Code r/w Sec. 3/ 4 of Dowry Prohibition Act

FORM A

IN THE COURT OF LD. ADDITIONAL CHIEF JUDICIAL MAGISTRATE, DINHATA, COOCH BEHAR Present: Smt. Dewyani Rai Additional Chief Judicial Magistrate, Dinhata, Cooch Behar JO Code No. WB 01175 [Dated : 14.07.2026] GR CASE NO. 733-2017 CIS GR CASE NO. 733-2017 (Dinhata P.S Case No. 646 Dated 09.07.2017)	
Complainant	State Of West Bengal
Represented by	Sanjay Barman, Ld. APP
Accused	01. Chiranjit Debnath 02. Kiranbala Debnath 03. Basanta Debnath 04. Dipti Debnath 05. Rekha Debnath (filed forever) 06. Dipali Debnath
Represented by	Md. Masum Hossain

FORM B

Date Of Offence	Since marriage and lastly on 07.07.2017
Date of FIR	09.07.2017
Date of Charge Sheet	31.08.2017
Date Of Framing Charge	28.03.2025
Date of Commencement of Evidence	10.07.2026
Date on which Judgement is reserved	10.07.2026
Date of Judgement	14.07.2026
Date of the sentencing order, if any	NA

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Under Section 498A of Indian Penal Code r/w Sec. 3/ 4 of Dowry Prohibition Act

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. Chiranjit Debnath 02. Kiranbala Debnath 03. Basanta Debnath 04. Dipti Debnath 05. Rekha Debnath (filed forever) 06. Dipali Debnath	18.07.2017 14.06.2018	18.07.2017 14.06.2018	Under Section 498A of Indian Penal Code r/w Sec. 3/ 4 of Dowry Prohibition Act	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	Pinki Debnath	Victim

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 complainant 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. 733-2017

Registration No: GR CASE No. 733-2017

CNR No. WBCB07-001351-2017

Name of the parties :

STATE OF WEST BENGAL

VERSUS

01. Chiranjit Debnath

02. Kiranbala Debnath

03. Basanta Debnath

04. Dipti Debnath

05. Rekha Debnath (filed forever)

06. Dipali Debnath

..... Accused Persons

Under Section 498A of Indian Penal Code r/w Sec. 3/ 4 of Dowry Prohibition Act
Judgment delivered on the 14 th day of July, 2026.

JUDGMENT

This is a case Under Section 498A of Indian Penal Code r/w. Sec. 3/ 4 of Dowry Prohibition Act. The accused persons are booked Under Section 498A of Indian Penal Code r/w Sec. 3/ 4 of Dowry Prohibition Act.

Prosecution story in a nut shell:

The prosecution case, details apart is that, one Subhash Debnath filed a written complaint to the effect that, his daughter Pinki Debnath was married to accused no. 1, seven years prior to the lodging of the complaint. At the time of marriage cash of Rs. 40,000/-, gold ornaments and other articles were given to the accused persons as per their demand. After the marriage she went to the matrimonial house with all her Stridhan articles.

Two children were born to her from the marriage. After marriage, she was tortured mentally and physically by the accused persons. She was assaulted every now and then without any reason. Then, on 07.07.2017 at about 08.00 p.m. the accused no. 1 on the instigation of other accused persons assaulted his daughter with iron rod mercilessly within closed doors. She was injured all over her body and in her private parts. Then, she was driven out of the house in single clothing. Then he got the information over phone and rushed to the house of accused persons, where the accused no. 1 demanded Rs. 50,000/- from him and insulted him and finally drove him out of the house. Hence, this case.

Purports of the proceedings:

On the basis of the said information, the Dinhata P.S case no. 646 of 2017, dated 09.07.2017 was initiated under Section 498A of Indian Penal Code r/w Sec. 3/ 4 of Dowry Prohibition Act and the investigation was endorsed to A.S.I of Police, Khagen Ch. Roy.

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 r/w Sec. 3/ 4 of Dowry Prohibition Act of which the cognizance was taken and copy served to the accused persons U/s 207 Cr.P.C. Thereafter the trial began.

On 28.03.2025 the case record was taken up for framing of the charge. The substance of the offence Under Section 498A of Indian Penal Code r/w Sec. 3/ 4 of Dowry Prohibition Act, 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 10.07.2026 one Pinki Debnath 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 CrPC was taken on 14.07.2026. 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.

The Prosecution failed to produce the de-facto complainant of this case.

PW-1 is the, daughter of the de- facto, namely Pinki Debnath who is also the victim of this case. She has stated that her father had lodged the complaint as she was assaulted and tortured by the accused persons. But she stated that at present she is living with her husband. During the cross-examination 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. Chiranjit Debnath 02. Kiranbala Debnath 03. Basanta Debnath 04. Dipti Debnath 05. Dipali Debnath are found to be not guilty of the offences Under Section 498A of Indian Penal Code r/w Sec. 3/ 4 of Dowry Prohibition Act 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, Dinhata 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 Offences (G.R.O), Dinhata 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