

CR case no. 51/23

Order No:-04

Dated:- 26.04.23

Today is fixed for S/A.

The complainant is present by filing hazira along with his advocate and the petition is moved by the Ld. Counsel for the complainant.

Heard, considered.

Perused the case record.

On perusal of the case record it is found that it is contended in the petition u/s 406/120 (B) IPC R/W sec. 93 of CrPC that on 20.02.22 the complainant was given in marriage to the family of the accused persons and till date those Stridhan articles are lying in the custody of the accused persons i.e. at the matrimonial home of the complainant and the complainant is praying for passing of order of issuance of search warrant at the house of accused Koushik Barman, s/o- Hirendra Nath Barman, Addrss. + P.O- Ruierkuthi, P/S- Dinhata, Dist. Coochbehar which is falling within the jurisdiction of the police station of Dinhata P/S along with a direction upon the I/C, Dinhata for giving the complainant all sorts of assistance in compliance of the issuance of the search warrant order which will be passed in favour of the complainant. In the instant petition she had mentioned the items in numerical chronology i.e. 1. Gold ornaments viz. Pola, earring, churi, necklace, sona badhano sakha, 2. furnitures viz. box khat, dressing table, box alna, TV showcase, dining table, 4 pairs of wooden chair, sofa set, 3. Lep, toshok, balish etc, 4. kasar basonpatra viz. Two thalas, two batis and one kolsi and the petition is duly backed up by verification. The complainant had also filed the original receipts of **Bhagabati Jewellery, Joy Ma Kali Jewellers and Lakhi Narayan Cabinet Firm**, in support of the aforementioned items which were given by the complainant as Stridhan and Kannapan to the accused persons while performing complainant's marriage with the accused Koushik Barman.

Considered.

Keeping in mind the materials on record and the facts of circumstances of this case, I find it just and proper to allow the instant petition u/s 406/120 (B) IPC R/W Sec 93 of CrPC *directing the I/C, Dinhata to give all kinds of assistance to the complainant in execution of the search warrant issued in favour of the complainant which is to be caused on the house of the accused persons which is already mentioned in the contentions of the petition as well as within this order.*

The complainant is hereby directed to file a copy of the complaint petition which is to be sent to I/C, Dinhata for his proper perusal and assistance in complying this order.

The complainant is also directed to bear up all the expenses in execution of the search warrant order given in his favour. She is also directed to take one goldsmith along with herself during the search and seizure to be made at the place of occurrence.

The I/C, Dinhata is hereby directed to search and seize the items and prepare a proper seizure list in support of the same and forward it before the court at once along with the items seized on the next date fixed by this court.

Let a copy of this order sheet be sent to him at once for his necessary assistance and compliance of this order.

To 29.05.23 for report by I/C, Dinhata, of the execution of the search warrant issued.

Dictated & Corrected by me.

A.,C.J.M,
Court, Dinhata.

A.,C.J.M,
Court, Dinhata.

Later,

Record is taken up for S/A.

Complainant is present by hazira. The complainant is examined on SA under section 200 Cr.P.C.

Perused the initial depositions, petition of complaint and other materials on record.

Heard. Considered.

It appears that there is sufficient ground to proceed against all the accused persons for the offence punishable under section 406 of IPC.

Accordingly issue process against the accused persons.

Requisites at once.

To 29.05.23 for S/R and appearance.

D/C

Sd. Tanim Das

**Addl. Chief Judicial
Magistrate,
Dinhata**

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Magistrate,
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