

FORM A

IN THE JUVENILE JUSTICE BOARD
COOCH BEHAR

Present: **Ms. Ananya Dasgupta**, *W.B.J.S.*
Principal Magistrate,
Juvenile Justice Board
Cooch Behar
JO Code: WB01505

Smt. Gita Acharjee Mangal
Member, Juvenile Justice Board
Cooch Behar

Smt. Runa Ganguly
Member, Juvenile Justice Board
Cooch Behar

State of West Bengal
V.S.
One Child

JVTR No: 20/2026
Regd No. GR. 17/2026
CNR No: WBCB09-000020-2026

In connection with Kotwali PS Case No-855/2025 dated:
24.10.2025 under section u/s 126(2)/329(3)/115(2)/117(2)/3(5) of BNS

Proceeding under the Juvenile Justice (Care and Protection of Children) Act 2015
read with West Bengal Juvenile Justice (Care and Protection of Children) Rule,
2017.

[Date of the Final Order/Judgment:**18-07-2026**]

COMPLAINANT	State of West Bengal
REPRESENTED BY	Mr. R. Kundu Ld. P.P In- Charge,
CHILD	One
REPRESENTED BY	Mr. Shahanawaz Ahmed Ld. Advocate for the CCL

FORM B

Date of offence/act	23.10.2025
Date of FIR	24.10.2025
Date of Charge-sheet/Final Report	24.11.2025
Date of plea	18.04.2026
Date of commencement of trial/inquiry	22.06.2026
Date on which Judgment/Final order is reserved	18.07.2026
Date of the Judgment/Final Order	18.07.2026
Date of the sentencing order, if any	N.A.

Child(ren) details:

Rank of the child (ren)	Name of the Child (ren)	Date of apprehension / production	Date of release on bail	Offences charged with	Whether acquitted or convicted	Sentence imposed	Period detention undergone during trial for purpose of section 428 Cr.P.C.
1	XXX	03.02.2026	03.02.2026	u/s 126(2)/329(3)/115(2)/117(2)/3(5) of BNS	Acquitted	NA	NA

FORM C

LIST OF PROSECUTION /DEFENCE/COURT WITNESSES

A. Prosecution:

Rank	Name	Nature of Evidence (Eye witness, Police witness, Medical witness, Panch Witness, Other witness)
PW-1	Nilima Sutradhar	Complainant (Victim)
PW-2	Sumita Sutradhar	Witness (Victim)

B. Defence witness, if any: No defence witness adduced.

Rank	Name	Nature of Evidence (Eye witness, Police witness, Medical witness, Panch Witness, Other witness)
DW-1	Nil	

C. Court witnesses, if any: No Court witness adduced.

Rank	Name	Nature of Evidence (Eye witness, Police witness, Medical witness, Panch Witness, Other witness)
Nil	Nil	Nil

LIST OF PROSECUTION /DEFENCE/COURT EXHIBITS

A. Prosecution:

Sl No	Exhibit number	Description
1.	Exhibit-PW1/P1	Signature on the C/C of written complaint dt. 24.10.2025

B. Defence: No defence witness.

Sl No	Exhibit number	Description
Nil	Nil	Nil

C. Court Exhibits:

Sl No	Exhibit number	Description
Nil	Nil	Nil

D. Material Objections:

Sl No	Exhibit number	Description
Nil	Nil	Nil

FINAL ORDER

1. The brief fact of the case, as can be gathered from the First Information Report (hereinafter referred to as FIR) is that the on 23.10.2025 at about 12:00 hrs the CCL and others entered into the house of complainant and restrained to the complainant’s son and started physically assaulting him with iron rod, kicks, blows due to previous grudge. As a result, the complainant’s son received injury and was shifted to MJN Medical College & Hospital, Cooch Behar, where he received treatment.
2. After receiving the written complaint, the Kotwali Police Station Case No. 855/2025 dated 24.10.2025 under sections 126(2)/329(3)/115(2)/117(2)/3(5) of Bhartiya Nyaya Sanhita (herein after referred to as BNS) was started.
3. On 03.02.2026 this instant file was opened at this Board for inquiry under the Juvenile Justice (Care and Protection of Children) Act, 2015 (hereinafter referred to as “the Act”).

4. After the completion of the investigation, the final report has been submitted against the CCL u/s 126(2)/329(3)/115(2)/117(2)/3(5) BNS. The plea of the CCL was recorded accordingly on 18.04.2026 for offence punishable u/s 126(2)/329(3)/115(2)/117(2)/3(5) BNS and to which CCL denied his involvement in the alleged activities by pleading not guilty and claimed to be tried.

5. After recording of evidence of the prosecution, the CCL was examined under sections 351/316 of Bhartiya Nagrik Suraksha Sanhita (hereinafter referred to as the B.N.S.S.) read with section 14(5) of the Act on 18.07.2026.

EVIDENCE ON RECORD

1. Two witnesses were examined as stated above by the prosecution. One document has been admitted in this case from the side of the prosecution.
2. No defense witness has been examined.

POINTS FOR DECISION

- i. Whether the CCL is involved into commission of activities punishable under section u/s 126(2)/329(3)/115(2)/117(2)/3(5) BNS?
- ii. Whether the prosecution has been able to prove this proceeding against the CCL?

DECISION WITH REASONS

1. The points for consideration are taken up together for consideration for the sake of brevity and as they are intertwined. The facts of the case will have been considered through the evidence available in record to decide the points.

2. The complainant of this case has been examined as PW-1 in this case. She deposed that she filed this case 8 months ago against the CCL and others. She identified the CCL before the Board. She deposed that one hot verbal altercation took place between her son and the CCL and others. Out of misunderstanding and anger, she filed this case. Through her evidence, the written complaint and her signature on the C/C of written complaint dated 24.10.2025 has been marked as **Exhibit-PW1/P1**. Police interrogated her in this case.

During her cross examination, she deposed that she does not know what is written in the written complaint at present. She stated that the CCL has done no wrong upon her. She stated that she has no allegation or objection if the CCL be acquitted from this case.

3. Sumita Sutradhar, son of the complainant, deposed as PW2 in this case. He stated that his mother filed this case 8 months ago against the CCL and others. He identified the

CCL before the Board. He stated that one hot verbal altercation took place between him and the CCL and his family. Out of misunderstanding and anger, his mother filed this case. Apart from that no other incident took place. Police did not interrogate him in this case.

During his cross-examination, he deposed that the CCL has done no wrong upon him. He has no allegation or objection is the CCL is acquitted from this case.

4. On perusal of the entire case record and the evidence of the prosecution witness, we do not find any iota of evidence to show that the CCL has any involvement with this case. The complainant's evidence was vague and did not make out any allegation against the CCL. The complainant and witness did not allege anything against the CCL. Moreover, the complainant did not utter a single adverse remark against the CCL and stated during her cross-examination that she has no objection to the CCL's acquittal from this case. Thus, considering the evidence of the prosecution witnesses, we are of the view that the CCL has done no offence as charged against him. We also find that proper and sufficient evidence has not come forward through this inquiry to show the complicity of the CCL in commission of the alleged activities. The quality of evidence that have flowed from the prosecution side is inadequate and the same cannot be relied upon to establish any of the charges conclusively against the CCL.

5. As such, there is nothing before this board to conclusively hold that the CCL can be associated with the accusation of the complainant. During his examination u/s 351 BNSS, the CCL has also denied his any involvement with the allegation.

6. Now since the prosecution failed to prove the case as put forward by them and there is no proper and cogent evidence against the CCL, we are satisfied to hold that the child brought before this Board has not committed any offence and as such, he deserves to be acquitted under section 278 (1) of the BNSS. The points are decided accordingly.

7. Hence it is,

O R D E R E D

that the CCL has not committed any offence punishable under sections 126(2)/329(3)/115(2)/117(2)/3(5) BNS and hereby he is declared to be child found not in conflict with law under section 17 of the Juvenile Justice (Care and Protection of Children) Act, 2015.

- 8.His guardian is hereby, discharged from the guardian bonds forthwith.
9. The seized alat, if any be disposed off after the expiry of appeal period.
10. Let a copy of this judgement be forwarded to Secretary, DLSA, Cooch Behar at once.
11. Note in the Register and CIS.
- Typed, printed and corrected by me,

Sd/-
[Ms. Ananya Dasgupta]
Principal Magistrate
Juvenile Justice Board
Cooch Behar
J.O. Code: WB01505

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[Ms. Ananya Dasgupta]
Principal Magistrate
Juvenile Justice Board
Cooch Behar
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01. I agree.

Sd/-
[Smt.Gita Acharjee Mangal]
Member-I

02. I agree.

Sd/-
[Smt. Runa Ganguly]
Member-II