

IN THE COURT OF CHIEF JUDICIAL MAGISTRATE, CALCUTTA

Present : Smt. Payel Banerjee, [J.O Code: WB01117]

Chief Judicial Magistrate, Calcutta.

[Date of the Judgement: 11.08.2026]

[Case No. GR/222/2016]

T.R No.01/2019

Reg. No. GRS/10222/2019

CNR No. WBCS02-082262-2016

(FIR No. 59/2016 dt. 28.01.2016 U/s 143/149/188/283 of IPC, Police Station- Hare
Street)

COMPLAINANT	STATE
REPRESENTED BY	RADHANATH RONG, ADDITIONAL PUBLIC PROSECUTOR
ACCUSED	1. RAMALA CHAKRABORTY, ADDRESS:OFFICE AT GANOTANTRIK MAHILA SAMITY, KOLKATA ZILLA COMMITTEE, 31, ALIMUDDIN STREET, P.S- TALATALA, KOLKATA-16. 2. MINATI GHOSH, ADDRESS:OFFICE AT GANOTANTRIK MAHILA SAMITY, KOLKATA ZILLA COMMITTEE, 31, ALIMUDDIN STREET, P.S- TALATALA, KOLKATA-16. 3. ANWARA MIRZA ADDRESS:OFFICE AT GANOTANTRIK MAHILA SAMITY, KOLKATA ZILLA COMMITTEE, 31, ALIMUDDIN STREET, P.S- TALATALA, KOLKATA-16.
REPRESENTED BY	MD. SHIRAZ KHAN, CHAYAN BANERJEE, MUFI ABBAS RAHAMAN,

	ANISHA SENGUPTA, RIYA DHAR, SHRESTHA MUKHERJEE AND ABANTIKA KAR
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Form No. (M) 35

Date of Offence	28.01.2016
Date of FIR	28.01.2016
Date of Charge-sheet	17.12.2018
Date of taking plea	17.06.2025
Date of commencement of Evidence	18.07.2025
Date on which Judgement is reserved	11.08.2026
Date of the Judgement	11.08.2026
Date of the Sentencing Order, if any	Acquitted

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	Ramala Chakraborty	Appeared on 11.03.2025	11.03.2025	143/149/188/283 of IPC	acquitted	N/A	NIL
2	Minati Ghosh	Appeared on 11.03.2025	11.03.2025	143/149/188/283 of IPC	acquitted	N/A	NIL
3	Anwara Mirza	Appeared on 11.03.2025	11.03.2025	143/149/188/283 of IPC	acquitted	N/A	NIL

Form No. (M) 36

LIST OF PROSECUTION / DEFENCE / COURT WITNESSES

A. Prosecution:

RANK	NAME	NATURE OF EVIDENCE (EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS, OTHER
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Payel Banerjee
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		WITNESS)
PW1	Gourav Bhattacharya	Complainant
PW2	Apu Baidya	Investigating officer

B. Defence Witnesses, if any:

RANK	NAME	NATURE OF EVIDENCE (EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS, OTHER WITNESS)
NIL	NIL	NIL

C. Court Witnesses, if any:

RANK	NAME	NATURE OF EVIDENCE (EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS, OTHER WITNESS)
NIL	NIL	NIL

LIST OF PROSECUTION / DEFENCE / COURT EXHIBITS

A. Prosecution:

Sr. No.	Exhibit Number	Description
1	Exhibit P-l/PW-1	The extract copy of GD entry

B. Defence:

Sr. No.	Exhibit Number	Description
1	NIL	NIL

C. Court Exhibits:

Sr. No.	Exhibit Number	Description
1	NIL	NIL

D. Material Objects:

Sr. No.	Exhibit Number	Description
1	NIL	NIL

PROSECUTION CASE IN A NUTSHELL:

The compendium of the prosecution case, as unfolded during trial stands as follows:

Prosecution case, details apart is that on 28.01.2016 40-50 female members of Ganatantrik Mahila Samity under the leadership of Ramala Chakraborty, Minati Ghosh, Anwara Mirza of 31, Alimuddin Street unlawfully assembled in front of the City Sessions Court giving slogans over the incident of rape which took place at Kamduni and they blocked the roads in such a manner that normal traffic movement and pedestrian movement got disrupted from 11:30 hours to 11:50 hours.

DEFENCE CASE IN NUTSHELL:

Defense case as can be captured from the cross examination of the prosecution witnesses is the total denial of the prosecution case.

THE INVESTIGATION

After receiving complaint O.C. of Hare Street Police Station started this case being no. 59/2016 dated 28.01.2016 u/s 143/149/188/283 of the Indian Penal Code (in short IPC) was initiated against the above named accused persons and S.I, Apu Baidya was endorsed with the investigation. The said I.O. of this case visited the place of occurrence, recorded the statement of the witnesses under section 161 of CrPC. When he collected sufficient evidence and a prima-facie case has been well established the I.O of this case as per the direction of his superior submitted the Charge Sheet No. 266/2018 dated 17.12.2018 under section 143/149/188/283 of IPC against accused persons.

THE PLEA:

After hearing the Learned Additional Public Prosecutor for the State as well as Learned Defence Counsel, substance of the accusations for the offence punishable u/s 143/149/188/283 of IPC were read over and explained to the accused persons in Bengali to which the accused persons pleaded not guilty and claimed to be tried vide order dated on 17.06.2025. Accordingly, they were put on trial.

EXAMINATION U/S 313 CR.P.C:

As no material evidence came against the accused persons, the provision of examination of accused persons u/s 313 Cr.P.C is dispensed with.

THE ARGUMENT:

Ld. A.P.P. argued that the prosecution witnesses failed to corroborate the story of prosecution and left the entire matter upon court for adjudication. On the other hand, Ld. Advocate for the accused persons argued that the independent witnesses did not make any incriminating allegation against the accused persons and therefore, the accused persons are liable to be acquitted.

POINTS FOR DETERMINATION:

- 1) Whether the accused persons have committed the offence, punishable u/s- 143/149/188/283 of IPC and their guilt have been duly proved or not ?
2. Whether the accused persons can be held guilty for the offence under charge, if yes, what should be the quantum of punishment ?

DECISION WITH REASONS:

Let us scan through the evidence adduced by the prosecution in the following paragraphs in order to reach a judicially acceptable determination.

Both the points for determination are taken up for brevity of discussion.

The PW-01 has deposed that on 28.01.2016 there was a demonstration programme in front of City Sessions Court in the afternoon headed by Ramala Chakraborty, Minati Ghosh, Anwara Bibi and several other women and they were protesting against the Kamduni case knowing that it was a zone where Section 144 Cr.P.C was operating and they got dispersed after some time and that they were obstructing the pedestrian and vehicles. He deposed that he would not be able to recognize the accused persons. He did not file any order u/s 144 Cr.P.C. There is no mention of the specific premises where the alleged incident occurred. The GD entry was lodged after a long delay of almost 6-7 hours without any reason being assigned.

The PW-02 is the IO and deposed regarding investigation done by him. He could not identify the accused persons. He did not record any statement of the complainant. No documents have been collected to show that the accused persons were members of Ganatantrik Mahila Samity. No independent witness could be produced by the prosecution to support the prosecution case. There is no material before the court which would suggest that on that day there was any demonstration or that the said demonstration hampered the traffic movement.

On perusal of case record I find that prosecution has not been able to bring any substantive evidence against the accused persons. As such, the prosecution case goes uncorroborated by any witness.

In view of the discussion made herein and considering the above findings as a whole, this Court has no alternative but to hold that the prosecution has miserably failed to prove their case beyond all reasonable doubts and as such the accused person deserve to be acquitted from this case.

Thus, the above points under determination are therefore answered in the negative.

Hence, it is,

O R D E R E D

That the accused persons namely, Ramala Chakraborty, Minati Ghosh and Anwara Mirza are found not guilty for the offence punishable u/s 143/149/188/283 of IPC and they are accordingly acquitted from this case as per Section 255(1) Cr. P.C.

In terms of Section 437A of Cr.P.C the existing bail bond of the the accused person shall remain in force for a period of 06 months with condition that he shall appear before the Higher Court as and when such court issues notice in respect of any appeal or petition filed against the judgment. After expiry of 06 months such bail bond shall automatically cease to operate and the accused as well as the surety/sureties would be deemed to have been discharged from such bail bonds without any further order.

Note in T.R.

The judgment is pronounced in the open Court in presence of the accused persons and given under my hand and seal of the Court today.

Dictated & Corrected
read over and explained

GR- 222/2016
GRS- 10222/2016
(JO Code-WB01117)
CNR No.-WBCS02-082262-2016

Order dated: 11.08.2026

Today is fixed for examination of accused persons u/s 313 Cr.P.C.

Accused nos 01 and 02 namely Ramala Chakraborty and Minati Ghosh are present. Accused no 03 namely Anwara Mirza @ Anwara Mira is not present and one petition u/s 353 (6) Cr.P.C has been filed on behalf of accused no 03 Anwara Mirza praying for condoning her absence in the event of pronouncing judgment on the ground that she is bedridden.

As no material evidence came against the accused persons, the examination of accused persons u/s 313 Cr.P.C is dispensed with.

Heard argument in full.

Judgement will be delivered at 2.30 p.m.

D/c,

CJM, Calcutta.

Later:

11.08.2026

Record is taken up for passing judgement.

One petition u/s 353 (6) Cr.P.C has been filed on behalf of accused no 03 Anwara Mirza praying for condoning her absence in the event of pronouncing judgment.

The prayer is allowed and the judgment can be pronounced in presence of other two accused persons in view of Section 353 (6) of Cr.P.C to avoid undue delay considering the age of the accused persons.

Operative part of judgement is as follows:

Hence, it is,

O R D E R E D

That the accused persons namely, Ramala Chakraborty, Minati Ghosh and Anwara Mirza are found not guilty for the offence punishable u/s 143/149/188/283 of IPC and they are accordingly acquitted from this case as per Section 255(1) Cr. P.C.

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from such bail bonds without any further order.

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CJM, Calcutta.