

Sessions Case No. 90 of 2013
CNR: WBCS01 - 000957 - 2013

Present :
Koustuv Mukhopadhyay
(JO Code-WB 01059)
Judge, Bench-II,
City Session Court, Calcutta.
(In-Charge)

Order No. 70 dated 06.05.2026:-

Record is put up today by filing a petition on behalf of the accused Bariul Islam through his Ld. Advocate on the ground for pleading guilty u/s 229 of Cr.P.C dated 06.05.2026.

Accused person Bariul Islam on CB is present before the Court by filing hazira.

Ld. Advocate for the accused is present.

Ld. PP in charge Mr. Saikat Pandey is also present by filing hazira.

The petition for pleading guilty of accused person, Bariul Islam dated 06.05.2026 is taken up for hearing.

At the very outset of hearing, Ld. Lawyer appearing on behalf of petitioner/accused person submits that the petitioner is a citizen of India and he has realized the consequence and effect of the wrong, once committed by him and he has prayed for mercy before this Court so that he can merged into the main stream of the society for his future life.

As such, Ld. Lawyer for the petitioner/accused person prayed for allowing the petition for pleading guilty of the petitioner and further prayed for taking lenient view in respect of the punishment, so that future of this accused could not be doomed.

On the other hand, Ld. PP in-charge makes this Court aware of the maximum punishment of the offences committed by the accused person and he prayed for maximum punishment of the offences committed by this accused person.

Heard both sides in full.

Considered.

Perused the petition.

Perused the case record, charge-sheet and materials presently available on record.

At this stage, the petitioner/accused person is put in witness box and he has explained that if he pleads guilty then he may be convicted and sentenced to suffer imprisonment for life or a term of imprisonment which may extend to ten years and also fine for the offence punishable under Section 489B of IPC read with Section 120B of IPC and imprisonment up to seven years for the offence punishable under Section 489C of IPC read with Section 120B of IPC.

After explaining aforesaid quantum of punishment as provided for the offence under Sections 489B/489C of IPC read with Section 120B IPC, the accused person, namely, Bariul Islam stated that he knew it and in spite of that he is ready to plead guilty voluntarily as per his petition filed on 06.05.2026 and accused on being asked he has stated "Ami Doshi"/"Main Doshi Hoon".

Considered.

From the hearing of petitioner/accused person and the Ld. Lawyer appearing on his behalf as well as Ld. PP in charge, it appears to this Court that accused pleaded guilty to a charge of committing offences punishable under Sections 489B/489C of IPC read with Section 120B of IPC, this Court is satisfied that the accused person understood fully the effect of his plea of guilty. As such, this Court has no doubt as to the voluntariness of the petitioner/accused person in pleading his guilty and finds no impediment in recording his plea of guilty and convicting accordingly.

The plea of guilt appears to be voluntary and the same is accepted. Accordingly, the accused namely, Bariul Islam is convicted u/s 229 of Cr.P.C.

In the facts and circumstances of the present case, I find it appropriate to pass the minimum sentence and impose the minimum fine prescribed u/ss. 489B/489C/120B of IPC against the accused person.

Accordingly, the accused person namely, Bariul Islam is convicted u/s 229 of Cr.P.C. for committing offence u/ss. 489B/489C/120B of IPC and sentenced to suffer rigorous imprisonment for 02 (two) years for the offence punishable under Sections 489B/120B of IPC and a fine of Rs.1,000/- (Rupees one thousand), in default to pay fine, further rigorous imprisonment for 01 (one) month and Rigorous imprisonment for 02 (Two) years for the offence punishable under Sections 489C/120B of IPC and a fine of Rs.1,000/- (Rupees one thousand), in default to pay fine, further rigorous imprisonment for 01 (one) month.

The conviction and sentence will run concurrently.

The detention, if any be 'set off' as against the aforesaid sentence of imprisonment of this convict.

The personal property, if any seized from the possession of this convict be returned to him on his proper receipt after completion of his sentence of imprisonment and other alamats be destroyed as per law.

Let a copy of this order be delivered/supplied to this convict.

Issue warrant of jail of this convict, if he is in custody.

The instant case is accordingly, disposed of.

Dictated & corrected by me.

Judge, Bench-II
City Session Court, Calcutta.
(In-Charge)

Judge, Bench-II
City Session Court, Calcutta.
(In-Charge)

Later
06.05.2026

Fine amount of Rs.2,000/- (Rupees two thousand) for committing offence u/ss. 489B/489C/120B of IPC respectively duly been paid by the accused before the Cashier of Ld. Chief Judicial Magistrate, Calcutta vide Fine Slip No. SPL/B 2322549.

Let it be kept with the record.

Dictated & corrected by me.

Judge, Bench-II
City Session Court, Calcutta.
(In-Charge)

Judge, Bench-II
City Session Court, Calcutta.
(In-Charge)