

Order No: 10

Dated: 17.03.2026

Today is fixed for examination of accused u/s 351 of BNSS.

The Ld. defence lawyer and the Ld. APP are present.

The accused person namely Sanjeev Chhetri is examined u/s 351 BNSS in separate sheet and it is kept with the record.

The accused declined to adduce D/W.

Heard argument both the sides.

Judgment will be pronounced after recess.

D & C by me

Chief Judicial Magistrate,

Darjeeling

Chief Judicial Magistrate

Darjeeling

Later:

Both sides are present on call.

The accused person is also present.

Judgment is ready in seven separate sheets and pronounced in open Court.

The operative portion of the Judgment is as follows:

Hence, it is,

ORDERED

that the accused person, namely Sanjeev Chhetri is acquitted, under section 278(1) of the BNSS from the charge u/s 329(4)/115(2)/74 of BNS.

Seized alat if any be returned to its actual owner after the appellate period is over.

The bail bond which was filed on behalf of the accused person stands extended for a period of six months from today.

Such bail bond shall be governed by the provisions of section 481 BNSS.

Be it mentioned that in this case the defacto complainant, being the PW1 has a right to prefer an appeal under the proviso to section 413 BNSS and, if necessary, to avail free legal assistance through the Legal Services Authorities concerned to prefer and prosecute such appeal.

Copies of this Judgment be forwarded to the District Magistrate, Darjeeling, and the Learned Secretary, D.L.S.A., Darjeeling, for due intimation to the victim about such right.

Note in relevant register and CIS.

Dictated and corrected by me:

(Amar Chandra Das)

Chief Judicial Magistrate,

Darjeeling.

(Amar Chandra Das)

Chief Judicial Magistrate,

Darjeeling.

UID No.WB01231