

Sessions Trial No. 143/2025

C.I.S Registration No.S.T. 143/2025
(Arising from Contai P.S. Case No. 100/2022
dated 01/03/2022 U/Sec. 498A/304B of IPC. & 4 D.P. Act)
Charge Framed under section 498(A)/304B/34 of IPC

Form A

**IN THE COURT OF ADDITIONAL SESSIONS JUDGE
FAST TRACK, 2ND COURT, CONTAI, PURBA MEDINIPUR**

**Present: NURUZZAMAN ALI, Addl. S.J., F.T.C.-II, Contai.
J.O. Code No. WB00989**

**[Date of the Judgment]
19/03/2026**

**Case No.:-
S.T. Case No. 143/2025
C.I.S. Reg. No. S.T. Case No. 143 of 2025
C.N.R. Reg. No. WBEM09-000099-2023
T.R. No. 56 of 2023**

(Details of FIR/Crime and Police Station)
Contai P.S. Case No. 100 of 2022 dated 01/03/2022 under Sections 498A/304B
of I.P.C and 4 D.P. Act.

Complainant	<u>STATE OF WEST BENGAL</u> OR NAME OF THE COMPLAINANT Swapan Patra
REPRESENTED BY	Ld. P.P.-in-charge Sri Ananda Das
ACCUSED PERSONS	1. Animesh Das, 2. Satya Kumar Das and 3. Sumitra Das.
REPRESENTED BY	Priyanka Nayak

Form B

Date of Offence	23/02/22
Date of FIR	01/03/22
Date of Charge sheet	11/06/22
Date of Framing of Charges	07/04/25
Date of commencement of Evidence	21/02/26
Date on which Judgment is reserved	Not Applicable
Date of the Judgment	19/03/26
Date of the Sentencing Order, if any	Not Applicable

: Accused details :

Rank of the Accused	Name of 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.PC.
1.	Animesh Das	Surrendered on 14.03.2022	On 13.06.2022	U/Sec 498(A)/304 B/34 IPC	Acquitted	No sentence imposed	Not applicable
2	Satya Kumar Das	Surrendered on 16.06.2022	On 13.07.2022	U/Sec 498(A)/304 B/34 IPC	Acquitted	No sentence imposed	Not applicable
3	Sumitra Das	On 13.07.2022	On 13.07.2022	U/Sec 498(A)/304 B/34 IPC	Acquitted	No sentence imposed	Not applicable

Form C**LIST OF PROSECUTION/DEFENCE/COURT EXHIBITS****A. Prosecution**

RANK	Name	NATURE OF EVIDENCE (EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS PANCH WITNESS, OTHER WITNESS)
P.W.1	Sri Swapan Patra	Defacto-complainant
P.W.2	Smt. Sumati Patra	Eye witness
P.W.3	Babulal Patra	Eye witness
P.W.4	Smt. Kalpana Patra	Eye witness

B. Defence witnesses, if any:

RANK	Name	NATURE OF EVIDENCE (EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS PANCH WITNESS, OTHER WITNESS)
D.W.1	Not Applicable	Not Applicable
D.W.2	Not Applicable	Not Applicable

C. Court witnesses, if any:

RANK	Name	NATURE OF EVIDENCE (EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS PANCH WITNESS, OTHER WITNESS)
C.W.1	Not Applicable	Not Applicable
C.W.2	Not Applicable	Not Applicable

LIST OF PROSECUTION/DEFENCE/COURT EXHIBITS**A. Prosecution:**

Sr. No.	Exhibit Number	Description
1	Exhibit-P-1	The written complaint alongwith signature of Swapan Patra as PW-1.
2	Exhibit-P-1/1	The endorsement over the written complaint.
3	Exhibit-P-2	The signature of Swapan Patra as PW-1 over the seizure-list.
4	Exhibit-P-2/1	The signature of Babulal Patra as PW-3 over the seizure-list.
5	Exhibit-P-2/2	The seizure-list.
6	Exhibit-P-3	The signature of Swapan Patra as PW-1 over the Jimmanama.
7	Exhibit-P-4	The signature of Swapan Patra as PW-1 over the inquest report.
8	Exhibit-P-4/1	The inquest report.
9	Exhibit-P-5	The formal FIR.
10	Exhibit-P-6 and 6/1	The rough sketch map and index.

B. Defence:

Sr. No.	Exhibit Number	Description
1		Not Applicable
2		Not Applicable

C. Court Exhibits:

Sr. No.	Exhibit Number	Description
1	Not Applicable	Not Applicable
2	Not Applicable	Not Applicable

D. Material Objects:

Sr. No.	Exhibit Number	Description
1	Not Applicable	Not Applicable
2	Not Applicable	Not Applicable

JUDGMENT

(A case under sections- 498(A)/304B/34 I.P.C)

Date of Delivery: 19/03/2026

Brief history of the case:-

The case of the prosecution, in a nut-shell, is that de-facto complainant, namely, Swapan Patra lodged a written complaint before the I.C., Contai P.S. Purba Medinipur, alleging that the marriage of his daughter namely, Rama Patra was solemnized with accused no.1 Animesh Das on 15.01.2021 as per Hindu Law and customs. At the time of marriage he gave gold ornament and other gifts worth Rs.5 lakh and cash of Rs.2 lakh. After marriage his daughter went to her matrimonial house and began to reside therein. After few days she was tortured physically and mentally due to different reasons. Amicable settlement was there with the help of Panchayat members but even after that they used to torture her physically and mentally. After that the accused persons demanded due dowry on 23.02.2022 and at about 4.30 p.m. accused person no.1 had beaten his daughter and had hanged her to death. After that he had lodged the written complaint against the accused persons.

On receipt of the written complaint, Contai P.S. Case No. 100 of 2022 dated 01/03/2022 under Sections 498A/304B of I.P.C and 4 D.P. Act. After investigation charge-sheet had been submitted under sections 498A/306 of I.P.C. After that Ld. A.C.J.M, Contai was pleased to commit this case for trial before the Ld. Additional Sessions Judge, 1st Court, Contai vide order no. 21 dated 13.07.2022 in G.R. no. 397 of 2019. Ld. Additional Sessions Judge, 1st Court, Contai had received the case record on 13.01.2023 and was pleased to transfer this case to this court for trial and disposal vide order no. 03 dated 27.09.2023 in Sessions case no. 24/2023. This court received the case record on 16.10.2023 and charge was framed against the above-mentioned accused persons, namely, Animesh Das, Satya Kumar Das and Sumitra Das under sections

498(A)/304(B)/34 of I.P.C vide order no.1 dated 07.04.2025 in the instant case i.e S.T.-143/2025. Accused persons pleaded not guilty and trial of this case began against them.

Points for consideration

Whether the accused persons committed an offence punishable under section 498(A)/304(B)/34 of I.P.C. or not ?

Decision with reasons

Prosecution had cited, as many as, four witnesses and got exhibited ten documents to prove its case.

P.W. 1, Sri Swapan Patra deposed that he lodged this written complaint at Contai P.S. against three accused persons, namely, Satyakumar Das, Animesh Das and Sumitra Das and on that day all of them were present in court room and they were identified. The marriage of his daughter Rama Patra was solemnized with Animesh Das. After marriage she went to her matrimonial house. His son-in-law did not have sufficient income and for that reason problem was there between them. After that she had committed suicide by hanging herself. After that he lodged this written complaint. The written complaint was handed over to the witness and he deposed that it was written as per his instruction and it was read over to him and he signed over it. The written complaint alongwith the signature of the witness was marked as exbt.P-1. He also deposed that police interrogated him. The seizure list was handed over to the witness and he identified his signature and it was marked as ext. P-2. He also deposed that police seized some articles like marriage certificate and photographs. Jimmanama was handed over to the witness and he identified his signature which was marked as exbt. P-3. He deposed that police gave the marriage certificate in his jimma. Inquest report was handed over to the witness and he identified his signature which was marked as exbt. P-4. He lastly deposed that police prepared that in his presence.

During cross-examination by defence he admitted that financial constraint led to dispute between them. It was elicited from him that his daughter was happy. He could not say what was written in the inquest report.

P.W. 2, Smt. Sumati Patra deposed that Swapan Patra the defacto complainant was her husband. He lodged the case against Satyakumar Das, Animesh Das and Sumitra Das. All of them were present and they were identified. They were parents-in-law and husband of her daughter namely, Rama Patra. Her marriage was solemnized with Animesh Das before almost 4 years as per Hindu Law and customs. After marriage she went to her matrimonial house and began to reside therein. Her daughter was mentally deranged. After that she had committed suicide by hanging herself in her matrimonial house. After that her husband had lodged the written complaint against the accused persons. Lastly, she deposed that police interrogated her.

During cross-examination by defence she admitted that her daughter was in peace. She could not say date, month and year of interrogation by the police. She could not say the date, month and year of the death of her daughter. Lastly, it was elicited from her that financial condition of her son-in-law was not good.

P.W. 3, Babulal Patra deposed that Swapan Patra the defacto complainant was his uncle. He lodged this case against Satyakumar Das, Animesh Das and Sumitra Das. All of them were present and they were identified. Rama Patra was the daughter of Swapan Patra and her marriage was solemnized with Animesh Das before almost 4 years as per Hindu Law and customs. After marriage she went to her matrimonial house and began to reside therein. After that problem was there in her matrimonial house. Rama was dead. She had committed suicide by hanging herself in her matrimonial house. After that Swapan Patra had lodged the written complaint against the accused persons. Police interrogated him. Seizure list was handed over to the witness and he deposed that police seized some articles and he signed over it. He identified his signature and it was marked as Exbt.-P-2/1.

During cross-examination by defence he could not recall what was written in the seizure list. Rama used to come back to her parents house due to problem in her matrimonial house due to financial constraint. He could not say the date, month and year of the death of his daughter. He could not say date, month and year of interrogation by the police.

P.W. 4, Smt. Kalpana Patra deposed that Swapan Patra the defacto complainant was her brother-in-law (Deor) and he lodged this case against Satyakumar Das, Animesh Das and Sumitra Das. All of them were present and they were identified. She further deposed that Rama Patra was the daughter of Swapan Patra. Her marriage was solemnized with Animesh Das before almost 4 years as per Hindu Law and customs. After marriage she went to her matrimonial house and began to reside therein. After that problem was there in her matrimonial house. Rama was dead. She had committed suicide by hanging herself in her matrimonial house. After that Swapan Patra had lodged the written complaint against the accused persons. Lastly, she deposed that police interrogated her.

During cross-examination by defence she admitted that Rama used to come back to her parents house due to problem in her matrimonial house due to financial constraint. She could not say the date, month and year of the death of her daughter. She could not say date, month and year of interrogation by the police.

Documents Exhibited on behalf of the Prosecution

1. The written complaint alongwith signature of Swapan Patra as PW-1.....Exhibit-P-1.
2. The endorsement over the written complaint.....Exhibit-P-1/1.
- 3.The signature of Swapan Patra as PW-1 over the seizure-list...Exhibit-P-2.
- 4.The signature of Babulal Patra as PW-3 over the seizure-list.....
.....Exhibit-P-2/1.
- 5.The seizure-list.....Exhibit-P-2/2.
6. The signature of Swapan Patra as PW-1 over the Jimmanama.
.....Exhibit-P-3.
7. The signature of Swapan Patra as PW-1 over the inquest report.
.....Exhibit-P-4.
8. The inquest report.....Exhibit-P-4/1.
9. The formal FIR.....Exhibit-P-5.

10. The rough sketch map and index.....Exhibit-P-6 & 6/1.

Examination of accused persons u/s 313 Cr.P.C.

The accused persons were examined u/S 313 Cr.P.C. They said that they were not guilty and declined to give any evidence in support of their case.

Argument forwarded by learned advocate for Prosecution

Learned Public Prosecutor in charge argued that the witnesses had corroborated the case of the prosecution. Thus, he concluded his argument.

Argument forwarded by learned advocate for the Defence

Learned advocate for the accused persons argued that the Prosecution could not prove the case beyond shadow of all reasonable doubts and the accused persons were entitled to get an order of acquittal.

View of the Court

Heard Ld. Advocate for the accused persons and the Ld. P.P.-in-charge and perused materials on record. P.W. 1, Sri Swapan Patra deposed that he lodged this written complaint at Contai P.S. against three accused persons, namely, Satyakumar Das, Animesh Das and Sumitra Das and on that day all of them were present in court room and they were identified. The marriage of his daughter Rama Patra was solemnized with Animesh Das. After marriage she went to her matrimonial house. His son-in-law did not have sufficient income and for that reason problem was there between them. After that she had committed suicide by hanging herself. After that he lodged this written complaint. The written complaint was handed over to the witness and he deposed that it was written as per his instruction and it was read over to him and he signed over it. The written complaint alongwith the signature of the witness was marked as exbt.P-1. He also deposed that police interrogated him. The seizure list was handed over to the witness and he identified his signature and it was marked as ext. P-2. He also deposed that police seized some articles like marriage certificate and photographs. Jimmanama was handed over to the witness and he identified his signature which was marked as exbt. P-3. He deposed that police gave the

marriage certificate in his jimma. Inquest report was handed over to the witness and he identified his signature which was marked as exbt. P-4. He lastly deposed that police prepared that in his presence. During cross-examination by defence he admitted that financial constraint led to dispute between them. It was elicited from him that his daughter was happy. He could not say what was written in the inquest report.

It appears that the witness could not corroborate the case of the prosecution mentioned in the written complaint.

P.W. 2, Smt. Sumati Patra deposed that Swapan Patra the defacto complainant was her husband. He lodged the case against Satyakumar Das, Animesh Das and Sumitra Das. All of them were present and they were identified. They were parents-in-law and husband of her daughter namely, Rama Patra. Her marriage was solemnized with Animesh Das before almost 4 years as per Hindu Law and customs. After marriage she went to her matrimonial house and began to reside therein. Her daughter was mentally deranged. After that she had committed suicide by hanging herself in her matrimonial house. After that her husband had lodged the written complaint against the accused persons. Lastly, she deposed that police interrogated her. During cross-examination by defence she admitted that her daughter was in peace. She could not say date, month and year of interrogation by the police. She could not say the date, month and year of the death of her daughter. Lastly, it was elicited from her that financial condition of her son-in-law was not good.

It appears that the witness could not corroborate the case of the prosecution mentioned in the written complaint.

P.W. 3, Babulal Patra deposed that Swapan Patra the defacto complainant was his uncle. He lodged this case against Satyakumar Das, Animesh Das and Sumitra Das. All of them were present and they were identified. Rama Patra was the daughter of Swapan Patra and her marriage was solemnized with Animesh Das before almost 4 years as per Hindu Law and customs. After marriage she went to her matrimonial house and began to reside therein. After that problem was there in her matrimonial house. Rama was dead. She had committed suicide

by hanging herself in her matrimonial house. After that Swapan Patra had lodged the written complaint against the accused persons. Police interrogated him. Seizure list was handed over to the witness and he deposed that police seized some articles and he signed over it. He identified his signature and it was marked as Exbt.-P-2/1. During cross-examination by defence he could not recall what was written in the seizure list. Rama used to come back to her parents house due to problem in her matrimonial house due to financial constraint. He could not say the date, month and year of the death of his daughter. He could not say date, month and year of interrogation by the police.

It appears that the witness could not corroborate the case of the prosecution mentioned in the written complaint.

P.W. 4, Smt. Kalpana Patra deposed that Swapan Patra the defacto complainant was her brother-in-law (Deor) and he lodged this case against Satyakumar Das, Animesh Das and Sumitra Das. All of them were present and they were identified. She further deposed that Rama Patra was the daughter of Swapan Patra. Her marriage was solemnized with Animesh Das before almost 4 years as per Hindu Law and customs. After marriage she went to her matrimonial house and began to reside therein. After that problem was there in her matrimonial house. Rama was dead. She had committed suicide by hanging herself in her matrimonial house. After that Swapan Patra had lodged the written complaint against the accused persons. Lastly, she deposed that police interrogated her. During cross-examination by defence she admitted that Rama used to come back to her parents house due to problem in her matrimonial house due to financial constraint. She could not say the date, month and year of the death of her daughter. She could not say date, month and year of interrogation by the police.

It appears that the witness could not corroborate the case of the prosecution mentioned in the written complaint.

In criminal trial the burden of proof remains on the Prosecution to prove the guilt of the accused person. The prosecution has to stand on its own leg. In **Toran Singh v. State of Madhya Pradesh reported in AIR 2002 SC 2807 (D)**

it was held that prosecution case should rest on its strength and not on the absence of explanation or plausible defence by accused person. In the case of **Baliraj Singh vs. State of MP reported in AIR 2017 SC 2114** while overruling the concurrent finding of conviction u/s 302/34 IPC, Hon'ble Apex Court held that the trial court recorded the conviction of the accused only by placing reliance on couched evidence and the High Court also ignored just principles of law to ensure that the prosecution should prove its case beyond reasonable doubt and in a mechanical way fastened crime with the appellant and committed serious error by upholding conviction.

In the case at hand, the Prosecution has miserably failed to discharge its burden to prove the case beyond shadow of all reasonable doubts.

Under the above facts and circumstances, the case is decided in favour of the accused persons and against the prosecution and the accused persons are entitled to get an order of acquittal on the benefit of doubt.

Hence, it is,

Ordered,

that the accused persons, namely, Animesh Das, Satya Kumar Das and Sumitra Das are found not guilty of the offence punishable under sections 498(A)/304(B)/34 of IPC and they are acquitted of the offence under section 235 (1) of the Code of Criminal Procedure.

The accused persons are set at liberty. The bail bond of the accused persons shall remain in force till next 6 months from the date of passing of this Judgment as per Section 437A of Code of Criminal Procedure.

Seized alamats, if there be any, be disposed of as per Section 452 of the Cr. P. C. after the expiry of period of appeal, if appeal is not preferred and after the disposal of appeal if the same is preferred.

Note in the Trial Registrar and update the C.I.S.

Let copies of this Judgment be sent to the District Magistrate, Purba Medinipur and to the Secretary D.L.S.A, Purba Medinipur at Tamluk.

Sessions Trial No. 143/2025

C.I.S Registration No.S.T. 143/2025
(Arising from Contai P.S. Case No. 100/2022
dated 01/03/2022 U/Sec. 498A/304B of IPC. & 4 D.P. Act)
Charge Framed under section 498(A)/304B/34 of IPC

In compliance of the solemn order passed in the case of Sabitri Bhunya Vs. State of West Bengal and others in CRAN No. 1/20 dated 29/03/2022 and communicated vide no. 2529 RG dated 10/05/2022 it is further ordered that the victim of the alleged offence is at liberty to prefer an appeal against this order of acquittal as per the provision of the Proviso to Section 372 of Cr.P.C. and he or she may also avail free legal assistance through the legal services authority to prefer and prosecute such appeal.

Dictated and corrected by me,

Nuruzzaman Ali
Additional Sessions Judge,
FastTrack, 2ndCourt, Contai,
Purba Medinipur.

Nuruzzaman Ali
Additional Sessions Judge,
Fast Track, 2nd Court, Contai,
Purba Medinipur.