

H.C Civil Form No. (J)1

FORM FOR RECORDING DEPOSITION

In the 2nd Court of Additional Sessions Judge, Uluberia, Howrah.

S.T no.170(u) of 2015

Present: Smt. Rupanjana Chakrabarti, Additional Sessions Judge, Uluberia, Howrah.

Deposition of witness no. 1 for the PW taken on oath/solemn affirmation on the 29th day of August, 2017.

My name is Sumitra Chakraborty
Wife of Sri Sakti Ranjan Pramanick
By religion Hindu
I reside Village- Shyampur
P.S. Shyampur
District- Howrah
My occupation household work.

My age 40 years
P.O. Shyampur

PW-1/ Sumitra Chakraborty:

Madhumita Chakraborty was my daughter. She was the daughter of late Bimal Chakraborty, my previous husband. My daughter Madhumita has died on 24th February two years ago.

On that date i.e. on 24th February Madhumita had gone out of the house at about 8:00pm to watch a serial 'Chokher Tara' at the house of my cousin elder brother Sri Dilip Chakraborty beside my father's house at Hari Narayan Pur within Shyampur P.S. At about 9:00pm my brother Kasinath Chakraborty telephoned me and informed that Putul was missing and he asked me to go there. Putul is the pet name of Madhumita Chakraborty.

Getting the information I went with my present husband Sri Sakti Ranjan Pramanick to my father's house and searched for her at the neighbourhood of my father's house and thereafter went to the house of Rabin Manna at Paschim Para, Hari Narayan Pur. There I saw that Rabin Manna's parents were present but he was not in the house. Thereafter I came back home to my matrimonial home at Shyampur where I lived with my present husband. It is a rented house under landlord Bapi Ghosh (objected to).

On the next morning also I once again went to the house of Rabin Manna in search of my daughter as he was the tutor of my daughter. Going there I came to know that Rabin Manna had gone somewhere with my daughter. There was a love affair between my daughter and the said Rabin Manna and he was dilly-dallying and deferring the proposal of marriage.

I did not get my daughter at Rabin Manna's house even at that time. As such I went to the P.S. and lodged the diary. Thereafter I guessed that Rabin Manna had taken

away my daughter. I did not get back my daughter. The police officer had called Rabin Manna and Rabin Manna told the police that he would find out my daughter (objected to).

After four days Rabin Manna telephoned my husband Sakti Ranjan Pramanick and informed that Madhumita's dead body was found at 'Paschim Khop' in the land of Tulsi Bera her hand could be visible and she was covered by the roots of paddy (Dhaner Gora/ Nara). Rabin Manna had telephoned my husband by mistake thinking that he was Bera Babu the police officer and had mistakenly given the information of the recovery of my daughter's dead body to him.

Getting the information I went along with my niece Archana, my brother Kasinath and Mira, the wife of Kasinath to the P.S. I was asked by the police of Shyampur P.S. to identify the dead body of my daughter Madhumita Chakraborty. I identified the said dead body. By lifting the cover of the dead body as per instruction of the police officer I found that my daughter was totally naked and her hands were tied in folded condition. They took the dead body for postmortem and also took my LTI. After the postmortem the dead body was brought and cremated thereafter.

After the cremation I went to the P.S. along with my mother Kanan Bala Chakraborty and stated everything to the police officer. He wrote it down. Thereafter I came back home. I also put LTI on the writing at the P.S.

The accused persons are present in Court today (identifies the accused persons). I have filed the case against them as Rabin Manna has raped my daughter and murdered her by pressing her neck.

Cross-examination by defence:

(Cross deferred u/s 231 Cr.P.C.)

Dictated and corrected

Additional Sessions Judge,
2nd Court, Uluberia, Howrah.

Additional Sessions Judge,
2nd Court, Uluberia, Howrah.

Cross- examination of P.W.1, Sumitra Chakraborty resumes on 16.04.2019:

1. I cannot recollect at this stage how many years ago my marriage was held with Bimal Chakraborty the father of Madhumita Chakraborty.
2. After her birth Madhumita was kept in my father's house.
3. On the 12th days of birth of my daughter I left the house of Bimal Chakraborty along with my daughter and I used to stay there in my father's house.
4. My husband Bimal Chakraborty was missing till date.
5. No authority was approached by me to declare that my husband Bimal Chakraborty was missing or death.
6. While I used to stay in my father's house along with my daughter during those periods I used to work as cooking staff in the BBW Brick Field for our maintenance.
7. It is fact, Shakti Ranjan Pramanick was one of the owner/co-sharer of BBW Brick Field.
8. It is fact, my present husband Shakti Ranjan Pramanick and the then co sharer of BBW Brick Field namely, Shakti Ranjan Pramanick are same and identical and one person.
9. It is fact, after my marriage with Shakti Ranjan Pramanick my daughter Madhumita through Bimal Chakraborty used to stay in my father's house.
10. I married Shakti Ranjan Pramanick at the age of nine of my daughter.
11. Madhumita did not use to stay in the house of Shakti Ranjan Pramanick.
12. It is fact, I used to stay in my second husband's house and I was busy with the household works of my matrimonial home and also with the business of brick field and my daughter used to stay in my father's house for her studies and my mother did not give her to me since my mother was alone in my father's house.
13. After one and half years of my second marriage I gave birth my another daughter namely, Bristi Pramanick through my second husband Shakti Ranjan Pramanick, who is now 12 years age.
14. I am illiterate.
15. I am not acquainted with the date of English calendar.
16. After knowing the information that my daughter Madhumita @ Putul was missing, I lodged a diary with Shyampur PS on the date of missing.
17. I cannot recollect at this stage at what time I lodged the complaint.
18. I put my LTI on my complaint for diary.

19. I cannot say the phone number from which my brother Kashinath Chakraborty informed me that Putul was missing.
20. I cannot say the phone number through which I knew the information from my brother Kashinath Chakraborty that Putul was missing.
21. After 2/3 days of knowing the information from my brother Kashinath, I went to the Shyampur PS further.
22. Thereafter, never I went to Shyampur P.S.
23. Thereafter, never I met with any police.
24. It is fact, I know the police personnel of Shyampur PS as we have the business of brick field.
25. I cannot say from which phone number Rabin Manna telephoned my husband and informed about the death of Madhumita thinking that he was Bera Babu the police officer.
26. I cannot say through which phone number Rabin Manna telephoned my husband and informed about the death of Madhumita thinking that he was Bera Babu the police officer.
27. No written document was handed over to police to show that my daughter used to take tuition from Rabin Manna.
28. I have no document to show that Rabin Manna used to give tuition to my daughter Madhumita.
28. I cannot recollect at this stage whether police recovered any document from my father's house to show that Rabin Manna was the private tutor of my daughter Madhumita.
29. We are four sisters and three brothers.
30. My two brothers are residing in my father's Vastu.
31. It is fact, the Bagan Bari of Shibu Chakraborty is adjacent to my father's house intervened by two plots of vacant land.
32. Those two plots of land were about 1 Bigha of land each in the western side of my father's house.
33. Never I lodged any complaint in writing with anybody or authority stating inter alia that Rabin Manna had love affairs with my daughter Madhumita during tuition period.
34. It is fact, prior to giving information through telephone by my brother I was in my second husband's house.

35. I cannot recollect at this stage how many days ago of her death I went to my daughter to meet with her.

(At this stage deferred)

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