

In the Court of the Judicial Magistrate, 1st Court, Uluberia, District: Howrah PRESENT: AKASH BOSE (U.I.D.WBJ01491) Judicial Magistrate, 1st Court, Uluberia, Howrah (Under Sections 498A/506/34 of IPC) (T.R. No. 240 of 2026) DATE OF JUDGMENT: 8th DAY OF JUNE, 2026	
COMPLAINANT	STATE OF WEST BENGAL
REPRESENTED BY	LD APP ASIT KUMAR HAIT
ACCUSED	A-1. SUBHADIP SAMANTA @ SHUVADIP SAMANTA A-2. TARAPADA SAMANTA A-3. SHAMPA SAMANTA A-4. DIPIKA SAMANTA A-5. ABALA SAMANTA ALL OF VILL – KRISHNANAGAR, PO – ARISANDA, PS – PANSKURA, DIST – PURBA MEDINIPUR
REPRESENTED BY	ANIL KR MONDAL & SUDHANSU SEKHAR SANTRA & SANGITA SADHUKHAN
Date of Offence	22/03/2024
Date of FIR	22/03/2024
Date of Chargesheet	30/05/2024
Date of Framing of Charge / plea	04/06/2026
Date of commencement of Evidence	04/06/2026
Date on which Judgment is reserved	08/06/2026
Date of Judgment	08/06/2026
Date of Sentencing Order, if any	NIL

Case No. G.R. 680 of 2024
CIS No. GR 367 of 2026
CNR: WBHW12002047-2026

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.
A-1	SUBHADIP SAMANTA @ SHUVADIP SAMANTA	Surrendered on 14.10.2025	Released on 14.10.2025	448/341/323/509/506/34 of IPC	Acquitted	N/A	N/A
A-2	TARAPADA SAMANTA	Surrendered on 14.10.2025	Released on 14.10.2025	448/341/323/509/506/34 of IPC	Acquitted	N/A	N/A
A-3	SHAMPA SAMANTA	Surrendered on 14.10.2025	Released on 14.10.2025	448/341/323/509/506/34 of IPC	Acquitted	N/A	N/A
A-4	DIPIKA SAMANTA	Surrendered on 14.10.2025	Released on 14.10.2025	448/341/323/509/506/34 of IPC	Acquitted	N/A	N/A
A-5	ABALA SAMANTA	Surrendered on 14.10.2025	Released on 14.10.2025	448/341/323/509/506/34 of IPC	Acquitted	N/A	N/A
LIST OF PROSECUTION WITNESS							
RANK		NAME			NATURE OF EVIDENCE (EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS, OTHER WITNESS)		
PW1		Suranjana Dey Samanta			DEFACTO COMPLAINANT		
PW2		Mira Dey			WITNESS		
LIST OF DEFENCE WITNESS							
RANK		NAME			NATURE OF EVIDENCE (EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS, OTHER WITNESS)		
NIL		NIL			NIL		
LIST OF COURT WITNESS							
RANK		NAME			NATURE OF EVIDENCE (EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS, OTHER WITNESS)		
NIL		NIL			NIL		
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LIST OF PROSECUTION EXHIBITS							

Sr. No.	Exhibit Number	Description
01	P1/PW1 (Series)	Signatures upon the Complaint

LIST OF DEFENCE EXHIBITS		
Sr. No.	Exhibit Number	Description
	NIL	NIL

LIST OF COURT EXHIBITS		
Sr. No.	Exhibit Number	Description
	NIL	NIL

LIST OF MATERIAL OBJECTS		
Sl. No.	Material Object Number	Description
	NIL	NIL

POINTS FOR DETERMINATION

- i) Whether the accused persons have committed offence punishable under Sections **498A/506/34 of IPC** as alleged ?
- ii) Has the prosecution been able to prove the charge under Sections **498A/506/34 of IPC** against the accused persons ?

DECISION WITH REASONS

- 1 . Both the points are taken up together for convenience of discussions and to avoid repetition.
- 2 . The instant case was initiated on the basis of a written complaint filed before Ld ACJM Uluberia Court by stating that it is alleged that the complainant got acquainted with accused by facebook in 2019 through love affair and by the influence of accused husband they got married on 06.07.2020 as per registry marriage and on 12.07.2020, their social marriage was held. It is further alleged that at the time of marriage, the father of the complainant has given 5 than gold ornaments, gold finger ring and pitol utensils. But after marriage, the accused and his family demanded Rs 1 lakh cash from the complainant and due to non fulfillment of said demand they used to torture upon her and did not feed her properly. It is further alleged that accused no 1 left Dubai in the year 2021 for work and without his presence the complainant started residing in his house but she was tortured by her in laws and being aggrieved she left her matrimonial house in the year 2022 in single attire. Further, the intervention of accused husband they started residing since 2023 but one day the complainant was driven out off her matrimonial house by the accused husband in single attire. Since then she is residing there without any assistance of her husband. The matter was informed before Bagnan PS dated 03.02.2024 and SP Rural

instant complaint was lodged before Uluberia Court U/s 156(3) CrPC.

3. On the basis of such written complaint vide Bagnan PS Case no – 167/2024, dated 22.03.2024 under Sections **498A/506/406/34 of IPC and ¼ DP Act** was initiated against the accused persons A-1 to A-5 and police took up investigation in the case.
4. The I/O of this case, namely ASI Rabin Kora of Bagnan PS upon completion of the investigation submitted Charge-Sheet being No. 266/2024, dated 30.05.2024 under Sections **498A/506/406/34 of IPC and ¼ DP Act** against the accused persons A-1 to A-5 in compliance with section 173(5) of the Code of Criminal Procedure.
5. On receipt of the Charge-Sheet, the then Ld. A.C.J.M., Uluberia, took cognizance of the offence and after complying the provisions of Section 207 of the Code of Criminal Procedure, transferred the case to this court for trial and final disposal vide order dated 19.09.2025.
6. On consideration of the materials on record and on hearing the Ld. A.P.P and the Ld. Counsel for the defence, charge was framed against the accused persons for the offences punishable under Sections **498A/506/34 of IPC** to which each of them claimed to be NOT GUILTY and pleaded to be tried and hence the trial commenced.
6. Out of the six (06) prosecution witnesses named in the charge-sheet, the prosecution examined complainant as PW-1 and other witness as PW-2.
7. Now before entering into the merit of the prosecution case, this Court would like to reiterate the cardinal principle of criminal law and justice that the prosecution has to establish its case beyond all reasonable doubt. Through the testimony of the witnesses fortified by documentary proof, the prosecution has to build or form a chain of circumstances and the same should be so complete that there is no escape from the conclusion that within all probability the crime was committed by the accused persons and none else and the evidence is consistent with the guilt of the accused persons and inconsistent with the plea of innocence. There must be clear and unequivocal proof of the *corpus delicti*.
8. PW-1/CSW-1 namely Suranjana Dey Samanta has appeared on dock and stated that she has filed this case against Subhadip Samanta, Tarapada Samanta, Shampa Samanta, Abala Samanta and Dipika Samanta accused and they are present today. The said complainant further identified his signature upon the complaint. Let the signatures be marked as **Ext – P1/PW1 (Series)**. The said witness on dock has stated that he does not know regarding the alleged incident. Then his mother namely Mira Dey has appeared on dock as PW-2 and identified all the accused who are present before this court but the said witness did not admit any material facts and allegations as raised by the complainant against the accused.

Perusing the record and materials for the proper adjudication, the verbal prayer of Ld APP to close the prosecution evidence is hereby closed.

9. Considering the trend of deposition of PW-1 to PW-2, Ld. APP prayed for closing the evidence of the other witnesses in connection with this case and accordingly the prayer was allowed and evidence for the prosecution was closed on 04.06.2026 and due to lack of inculpatory statement of PWs and after that 313 has been given by all the accused on 08.06.2026. After discharge, the prosecution witness as per prayer of Ld APP, I perused all the record and evidences and from bare perusal of the aforesaid document, I find that no such inculpatory material arise against the accused and thus if the 313 will be taken on same date, it would not be infringed or breach of justice.
10. From the thorough study and scrutiny of the evidence on record and also in the light of the arguments put forward by the Ld. APP and the Ld. Counsel for the defence, it is clear that the witnesses have failed to corroborate the complaint and the case and allegations leveled against the accused persons in totality. None of the witnesses were successful in fully corroborating the FIR or naming or identifying the accused persons. From the above deposition, it is appeared before this court, there was a dispute between the both parties and the dispute is civil in nature and due to that property dispute, the above mentioned complainant has filed this case before this court out of rage and presently at the time of examining witness, the concerned person failed to state any material facts and thus after perusing the materials on record, I do not find any inculpatory materials arose from this case. Moreover, the female witness has not corroborated or did not bring any material witness before this court regarding the offences relating to woman and both the witnesses on dock have admitted that they did not remember anything regarding this case.
11. It is pertinent to refer the case of **Kathi Bharat Vajsur & Anr. Vs. State of Gujrat [(2012) 5 SCC 724]** wherein the Hon'ble Apex Court reiterated that, *"It is a well settled principle of criminal trial that the guilt of the accused must be proved beyond reasonable doubt...."* Thus, putting the case on the touchstone as narrated above, I find that the evidences cited are not awe inspiring in forming up a string of events to establish the prosecution case beyond reasonable doubt. With such state of the evidences on record this court has no hesitation to declare that the prosecution has failed to prove the charges against the accused persons A-1 to A-5. Accordingly, both the points for determination are decided in negative against the prosecution. Thus, the case failed and the accused persons A-1 to A-5 are liable to be acquitted.

DECISION THEREOF

12. Hence,

it is,

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ORDERED

that the accused persons A-1 to A-5 are found **not guilty** of committing the offence punishable under sections **498A/506/34 of IPC** and they are **acquitted** from this case under section 248(1) of the CrPC.

The accused persons A-1 to A-5 are on Court bail and they are discharged forthwith from their bail bonds and set at liberty. The concerned sureties are also discharged from their obligations.

BC II to enter in relevant register. Update CIS.

The case being no. GR – 680 of 2024 (New GR – 367 of 2026) is disposed of.

Dictated by me.

Judicial Magistrate, 1st Court
Uluberia, Howrah

Judicial Magistrate, 1st Court
Uluberia, Howrah

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Order dated : 11.06.2026

Today is fixed for 313, argument and judgment if possible.

Ld APP is present.

The accused A-1 to A-5 are present and files hazira.

The accused are further produce 313 today by 1 pm and argument was heard in 2.00 pm in presence of both parties.

The accused file 313 on behalf of all accused.

Let the 313 be kept with record. The accused are examined U/s 313 of Crpc they deny to adduce any evidence on their behalf.

Heard argument at 2.00 pm and judgment passed on 4.30 pm.

Both parties are directed to be remain present.

Upon consideration of the materials on record and perusing the 313 and argument submitted by both Advocate of the respective parties and thus I consider that the accused A-1 to A-5 are not guilty and liable to be acquitted from this case.

Later ,

Both the parties are present.

Judgment is delivered in open court.

Judgment is written in separate sheets containing 6 pages are kept with the record.

As per judgment it is

ORDERED

that the accused persons A-1 to A-5 are found **not guilty** of committing the offence punishable under sections **498A/506/34 of IPC** and they are **acquitted** from this case under section 248(1) of the CrPC.

The accused persons A-1 to A-5 are on Court bail and they are discharged forthwith from their bail bonds and set at liberty. The concerned sureties are also discharged from their obligations.

BC II to enter in relevant register. Update CIS.

The case being no. GR - 680 of 2024 (New GR – 367 of 2026) is disposed of.

Judgment is pronounced in open court on this 8th day of June, 2026 at 4.30 PM.

Let a copy of this order be sent to Ld. Secretary, DLSA, Howrah.

Take a note in relevant register and cause list.

D/C by me

Akash Bose
J.M. 1st Court, Uluberia, Howrah

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