

IN THE COURT OF ADDITIONAL SESSIONS JUDGE,  
FAST TRACK, 1ST COURT, MALDA.  
Present – Nirnaya Tamang (WB01096)  
Additional Sessions Judge,  
Fast Track, 1<sup>st</sup> Court, Malda.

**Sessions Case No. 88 of 2024**  
**Sessions Trial No. 05(07)/2025**  
**CIS Registration No. 88/2024**

**CNR No. WBML01 00 1722-2024**

*(Bamongola P.S. Case No.160/2022 dated 16.06.2022 under Sections 498A/304B/34 of I.P.C. corresponding to GR Case no. 3663/2022)*

**Order No. 11**

**Date : 30.03.2026**

*This day is fixed for hearing of Judgment.*

*Four accused persons namely A1. Biplab Mondal A2. Promoth Mondal @ Pramoth Mondal A3. Bhedi Mondal A4. Gour Mondal @ Gono Mondal are on court bail and present by filing hazira.*

*Ld. P.P-in-charge files hazira.*

*Ld. Lawyer for the defence is present.*

*The prosecution case, in brief, is that a written complaint of Kalen Chandra Roy filed with the Inspector-in-charge, Bamongola P.S, Malda to the effect that his daughter Haimanti Roy married to accused no. 1 Biplab Mondal about one year before from the date of lodging FIR on 16.06.2022 and that since after marriage the accused persons used to inflicted physical and mental torture upon his daughter and that accused no. 1 created pressure upon his daughter to bring money from her paternal home and on failure he inflicted physical torture upon her. Lastly, on 15.06.2022 at about 2.30 p.m due to some family disputes accused no. 1 assaulted his daughter severely and as the torture was unbearable for her on 15.06.2022 at about 5 p.m she consumed Formalin like poison and she was admitted by the accused persons at Modipukur Hospital and she was referred to Malda Medical College & Hospital as her condition was critical and doctor there declared her as dead. Hence, this case.*

*The I/O of this case upon completion of the investigation submitted a charge sheet under sections 498A/304B/306 of I.P.C. against the accused persons in compliance with section 173 (5) of the Cr.PC.*

*Accordingly cognizance of the alleged offences as against the accused persons was taken by Ld. CJM, Malda on 15.05.2023 and after committal proceedings, the case record was received by the Ld. District and Sessions Judge on 13.03.2024. The record was sent to this Court for trial and disposal on 14.03.2024. This court received the record on 18.03.2024.*

**[Contd....P/2]**

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*A case record is committed by Id. Sessions Judge, Malda on 13.03.2024 and the case record was ultimately transferred to this court for trial and disposal on 14.03.2024 and this court received the same on 18.03.2024.*

*Upon receipt of the case record, charge under sections 498A/304B/34 of I.P.C was framed against accused persons and that the contents of the charge was read over and explained to the accused persons to which they pleaded not guilty and claimed to be tried.*

*Accordingly, trial started thereby.*

*During course of trial prosecution has been examined 10 witnesses namely Kelen Chandra Roy, the complainant as PW1, Subash Chandra Roy as PW2, Kalipada Roy as PW3, Narendranath Roy as PW4, Shyamal Roy as PW5, Mirita Mardi as PW6, Kalabati Sahani as PW7, SarendraMondal as PW8, Premananda Shil as PW9 and Dr. Ankur Bhattacharjee as PW10.*

*The following documents have been marked as exhibits :*

*Exbt. P-1 Signature of P.W.-1 on the inquest report, Exbt. P-2 Signature of PW1 on written complaint, Exbt. P1/1 Signature of PW4 on inquest report, Exbt. P-3 Signature of PW4 on seizure list dated 19.06.2025, Exbt. P1/2 signature of PW5 on inquest report, P 3/1 signature of PW5 on seizure list dated 19.06.2025, Exbt. P4/PW10 postmortem report.*

*No evidence has been adduced on behalf of the accused persons. Innocence is the plea of their defence.*

**Point for Consideration**

*Has the prosecution been able to bring home the charge labeled against the above named accused persons ?*

**[Contd.....P/3]**

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**Decision With Reasons**

*In the instant case prosecution has examined total ten witnesses including the complainant of this case.*

*PW1 Kalen Chandra Roy, complainant of this case deposed inter alia that he filed this case against the accused persons and he identified them on dock. He further deposed that his daughter, since deceased, married to Biplab Mondal and she died by consuming poison. He further deposed that his daughter used to consume medicine for her medical ailments and all along she was under treatment and unable to bear the pain his daughter on her own consumed poison and committed suicide. He deposed that he was informed by the accused persons that his daughter had committed suicide and they took her to Modipukur Hospital and wherefrom she was referred to Malda Medical College & Hospital. He identified his signature on the inquest report being marked as Exhibit- P/1 and his signature on the written complaint being marked as Exhibit- P/2.*

*During cross-examination, PW1 inter alia deposed that contents of the written complaint was not known to him and he failed to state the name of the scribe of the written complaint. He deposed that he just put his signature as per the instruction of the villagers. He deposed that the accused persons took proper care of his daughter and that he did not get any dowry demand from the accused persons.*

*Apart from the defacto complainant(PW1), the prist (PW9) and the autopsy surgeon (PW10) all the other witnesses (PW2 to PW8) turned hostile.*

*On scanning the evidence of the prosecution witnesses, I find no iota of evidence to implicate the accused persons facing the trial with the alleged offences as charged with and as such the accused persons are entitled to an order of acquittal u/s 232 Cr.P.C.*

*Accordingly, the point under consideration is answered in the negative.*

**[Contd.....P/4]**

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*Hence,*

*O r d e r e d*

*that accused persons namely A1. Biplab Mondal A2. Promoth Mondal @ Pramoth Mondal A3. Bhedi Mondal A4. Gour Mondal @ Gono Mondal are found not guilty of the charge punishable u/s 498A/304B/34 IPC and accordingly they are acquitted u/s 232 Cr.P.C.*

*The accused persons are discharged from their bail bonds and are set at liberty at once.*

*The seized alat, if any, be destroyed after expiry the period of appeal.*

*Dict. & Corrt. by me*

*ASJ 1<sup>st</sup> FTC, Malda.  
30.03.2026*

*Additional Sessions Judge,  
Fast Track, 1<sup>st</sup> Court, Malda.  
30.03.2026*