

IN THE COURT OF SUB-DIVISIONAL JUDICIAL MAGISTRATE, KHAGARIA

Date of Judgment :- 05.08.2026

Net Reg. No - 1873/2025

CHARGES FRAMED→ : U/s 498 (A)/34 of I.P.C. & 3/4 Dowry Prohibition Act.

Ld. Spl P.P. Mr. Amit Kumar

All accused persons, R/o Baraita, P.S. -
Mahishi, District : Saharsa (Bihar).

Ld. Adv. Mr. Azad Thakur

NAME OF P.O. - Smt. GESU

FORM- B	
Date of Offence	30.04.2023
Date of F.I.R.	06.03.2024
Date of Chargesheet	02.05.2025
Date of Charges Framed	21.05.2026
Date of Commencement of Evidence	02.06.2026
Date on which Judgment is reserved	27.07.2026
Date of the Judgment	05.08.2026
Date of the Sentencing Order, if any	ACQUITTAL

Accused Details:

Rank of the Accused	A-1
Name of Accused	Sumit Kumar
Date of Arrest	Not Applicable
Date of Release on Bail	11.04.2025
Offenses Charged with U/s	498 'A'/34 of I.P.C. & 3/4 Dowry Prohibition Act.
Whether Acquitted or convicted	Acquitted
Sentence Imposed	Not Applicable
Period of Detention Undergone during Trial for purpose of section 428, Cr.P.C	Not Applicable

Rank of the Accused	A-2
Name of Accused	Lalita Devi
Date of Arrest	Not Applicable
Date of Release on Bail	27.09.2024
Offenses Charged with U/s	498 'A'/34 of I.P.C. & 3/4 Dowry Prohibition Act.
Whether Acquitted or convicted	Acquitted
Sentence Imposed	Not Applicable
Period of Detention Undergone during Trial for purpose of section 428, Cr.P.C	Not Applicable

Rank of the Accused	A-3
Name of Accused	Ranu Singh
Date of Arrest	Not Applicable

NAME OF P.O. - Smt. GESU

Date of Release on Bail	27.09.2024
Offenses Charged with U/s	498 'A'/34 of I.P.C. & 3/4 Dowry Prohibition Act.
Whether Acquitted or convicted	Acquitted
Sentence Imposed	Not Applicable
Period of Detention Undergone during Trial for purpose of section 428, Cr.P.C	Not Applicable

Rank of the Accused	A-4
Name of Accused	Swati Kumari
Date of Arrest	Not Applicable
Date of Release on Bail	27.09.2024
Offenses Charged with U/s	498 'A'/34 of I.P.C. & 3/4 Dowry Prohibition Act.
Whether Acquitted or convicted	Acquitted
Sentence Imposed	Not Applicable
Period of Detention Undergone during Trial for purpose of section 428, Cr.P.C	Not Applicable

LIST OF PROSECUTION /DEFENCE/COURT WITNESSES :

A. Prosecution :

RANK	NAME	NATURE OF EVIDENCE (Eye-witness, Witness of last seen circumstance, Medical Jurist/ Medical Witness, Investigating Officer, Complainant/First Informant, Police Witness, Expert Witness, Panch Witness, Other witness)
P.W. 1	Jyoti Kumari	Informant

B. Defence witnesses :

RANK	NAME	NATURE OF EVIDENCE (Eye-witness, Witness of last seen circumstance, Medical Jurist/ Medical Witness, Investigating Officer, Complainant/First Informant, Police Witness, Expert Witness, Panch Witness, Other witness)
NIL	NIL	NIL

C. Court witnesses :

RANK	NAME	NATURE OF EVIDENCE (Eye-witness, Witness of last seen circumstance, Medical Jurist/ Medical Witness, Investigating Officer, Complainant/First Informant, Police Witness, Expert Witness, Panch Witness, Other witness)
NIL	NIL	NIL

LIST OF PROSECUTION/DEFENCE/COURT EXHIBITS :

A. Prosecution :

Sl. No.	Exhibit Number	Description (Inquest Panchnama/ Memo, Recovery Panchnama/ Memo, Arrest Memo, Post-mortem Report, FSL Report, Other exhibit)	Proved by/ Attested by
1	Exhibit - P1/P.W.01	Other exhibit : Signature of the informant on the written application forming the basis of the F.I.R.	Informant

NAME OF P.O. - Smt. GESU

B. Defence :

Sl. No.	Exhibit Number	Description (Inquest Panchnama/ Memo, Recovery Panchnama/ Memo, Arrest Memo, Post-mortem Report, FSL Report, Other exhibit)	Proved by/ Attested by
1	NIL	NIL	NIL

C. Court exhibits :

Sl. No.	Exhibit Number	Description (Inquest Panchnama/ Memo, Recovery Panchnama/ Memo, Arrest Memo, Post-mortem Report, FSL Report, Other exhibit)	Proved by/ Attested by
1	NIL	NIL	NIL

D. Material Objects/ Muddamals :

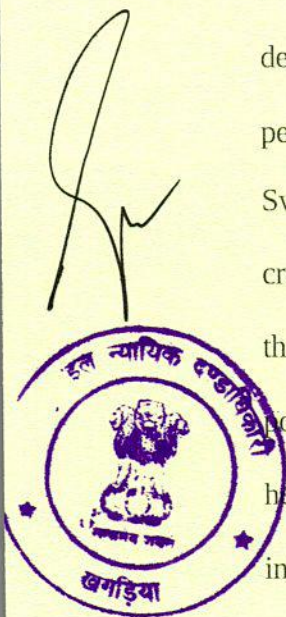
Sl. No.	Material Object Number	Description (Weapon of Offence, Clothing of accused / Victim, Mobile Phone/ Electronic Object/ Vehicle, Purse/ Earrings/ Identity card, Other Material Objects.	Proved by/ Attested by
1	NIL	NIL	NIL

J U D G M E N T

1. The accused person above named stand charged Under sections 498'A/34 of I.P.C. & 3/4 Dowry Prohibition Act and are being tried for the same.

FACTS OF THE CASE :

2. Briefly stated, the case of the prosecution is that the informant, The prosecution case, in brief, is that the informant, Jyoti Kumari, was married to accused Sumit Kumar on 25.11.2022 according to Hindu rites and customs. At the time of marriage, her family allegedly spent about Rs. 15 lakhs. After the marriage, she stayed at her matrimonial home for about four-five days and thereafter went to her parental home for *Gauna*. On 30.04.2023, she was taken back to her matrimonial home by her husband, who allegedly demanded Rs. 2-3 lakhs from her mother. It is further alleged that thereafter, the accused persons, namely, her husband Sumit Kumar, mother-in-law Lalita Devi, sister-in-law Swati Kumari and brother-in-law Ranu Singh, subjected her to physical and mental cruelty and demanded Rs. 5 lakhs as dowry. They allegedly abused and assaulted her, threatened to kill her, and made attempts on her life by leaving the gas stove open and pouring oil on the bathroom floor. On 10.05.2023, her husband's cousin Mannu left her at her parental home, where she has since been residing with her widowed mother. The informant further alleged that despite intervention by the Women Police Station, Khagaria, and an assurance given by her husband to take her back to the matrimonial



NAME OF P.O. - Smt. GESU

home, he failed to do so. Consequently, she sought appropriate legal action against the accused persons for dowry demand, cruelty, assault and criminal intimidation.

PROCEDURAL HISTORY :

3. After registration of the **F.I.R.**, the Investigating Officer (hereinafter, "I.O.") undertook investigation and on culmination of the same, the **charge-sheet** (21/2025) against the accused **A1 : Sumit Kumar, A2 : Lalita Devi, A3 : Ranu Singh & A4 : Swati Kumari** were filed for committing offences **Under sections 498'A'/34 of I.P.C. & 3/4 Dowry Prohibition Act**. After taking cognizance, dated 23.02.2026 of the offence **U/s 498'A'/34 of I.P.C. & 3/4 Dowry Prohibition Act** the accused persons were summoned to face trial.
4. On appearance, a **copy of police papers** was supplied to accused in terms of section 207 of the Code of Criminal Procedure, 1973 (hereinafter, "Cr.P.C"). On finding a prima facie case **U/s 498 (A)/34 of I.P.C. & 3/4 Dowry Prohibition Act**. Charges were explained to the accused on dated 21.05.2026, to which they pleaded not guilty and claimed trial and record proceeded for prosecution evidence.
5. After charges (u/s **498(A)/34 of I.P.C. & 3/4 Dowry Prohibition Act**) were explained, record proceeded for Prosecution evidence. Prosecution evidence was closed on 06.07.2026.

POINTS FOR JUDICIAL DETERMINATION :

The point for determination for judicial conclusion of this case are as under:

Whether the prosecution has been able to prove the above charges against the accused beyond all shadow of reasonable doubts?

FINDINGS

PROSECUTION EVIDENCE -

6. During the trial, prosecution led the following oral and documentary evidence against the accused persons to prove its case beyond reasonable doubt :

ORAL EVIDENCE -

- i) Jyoti Kumari : P.W. 01

NAME OF P.O. - Smt. GESU
DOCUMENTARY EVIDENCE -

Sl. No.	Exhibit Number	Description (Inquest Panchnama/ Memo, Recovery Panchnama/ Memo, Arrest Memo, Post-mortem Report, FSL Report, Other exhibit)	Proved by/ Attested by
1	Exhibit P1/ P.W. 01	<u>Other exhibit</u> : Signature of the informant on the written application forming the basis of the F.I.R.	Informant

7. Examination-in-chief of Jyoti Kumari (P.W. 01) : Examined on 02nd

June 2026. She is the informant of this case. She states in her examination-in-chief that she was married to accused Sumit Kumar on 25.11.2022 according to Hindu rites and customs. Her mother and brother spent approximately Rs. 15 lakhs on the marriage. After the marriage, she went to her matrimonial home and stayed there for about four days. Thereafter, her mother-in-law and sister-in-law allegedly subjected her to harassment and sent her back to her parental home, following which she instituted the present case. She further stated that the typed application submitted at the police station was read over and explained to her, whereafter she put her signature thereon, which she identified. The said application was marked as Exhibit P-1/P.W.-1. She stated that she had appeared before the Court upon receiving notice. Accused Sumit Kumar was present in Court, whom she identified, and she also identified the other accused persons.

8. Cross-examination of Sanjana Kumari (P.W. 01) : P.W.1 was cross-

examined. During the course of cross-examination, she states that In her cross-examination, P.W.1 stated that the present case was instituted due to mutual differences between the parties. She categorically stated that no such incident as alleged in the case had occurred and that the accused persons had neither harassed her nor demanded any dowry from her. She further stated that the matter had been amicably settled between the parties for a lump sum amount of Rs. 7,75,000/-, which she had already received. She also stated that she had received her jewellery and other articles. She and her husband had mutually decided to live separately and had filed a divorce petition by mutual consent. P.W.1 further stated that, in view of the settlement, she did not wish to pursue the present case or give evidence against the accused. She had filed a

NAME OF P.O. - Smt. GESU

compromise petition, which was available on the record. She categorically stated that she had no objection if the present case was dismissed.

9. It is pertinent to note that the matter has been voluntarily compromised between the both parties. The informant and accused persons have reached a mutual compromise. She has compromised with the accused in this case. The informant had no complaints against the accused. The informant had no objection if the accused were released from this case. She has no objection if the case is disposed of.

ARGUMENT :

10. Both sides have accepted that compromise has taken place between the parties and therefore the case may accordingly be disposed of.
11. Perused the case record. Prosecution produced only one prosecution witness in support of its case. During the course of the trial, the matter was compromised between the parties, and P.W. 1 (Informant) was examined in the light of the compromise, wherein she has accepted compromise with the accused persons. First and foremost, the informant herself has deposed the factum of voluntarily compromising with the accused persons. While offence Under sections 498 (A)/34 of I.P.C & 3/4 Dowry Prohibition Act is non compoundable in nature and is decided on the basis of evidence adduced before the court.
12. It is also a settled proposition of law that in the matters relating to 498 (A) I.P.C., if the parties enter into a genuine compromise, the matter should be dealt with leniently. As held by Hon'ble Supreme Court in Manoj Sharma V. State & Ors. (Cr Appeal No. 1619 of 2008) that in a case U/s 498 (A) I.P.C., if the parties enter into a compromise, chances of conviction are bleak. Mere allegations are insufficient. Vague & omnibus allegations do not fulfil the statutory requirements. Moreover, since the matter has been voluntarily compromised between the parties, and the allegations so referred lack particular and specific date, time and manner, so section 3/4 Dowry Prohibition Act also is not proved beyond the shadow of reasonable doubts. Therefore, the above sections were not



NAME OF P.O. - Smt. GESU

found attracted and were accordingly refused. In the light of above factual circumstances, it is clear that prosecution has failed to prove the charges Under sections 498 (A) of I.P.C./34 & 3/4 Dowry Prohibition Act against the accused beyond all shadow of reasonable doubt.

CONCLUSION :

13. To summarize the discussion above, the prosecution was required to establish the offences Under sections 498 (A)/34 of I.P.C. & 3/4 Dowry Prohibition Act beyond a reasonable doubt to prove the guilt of the accused. However, the testimony of the witness presented by the prosecution failed to substantiate the essential elements of these offences.

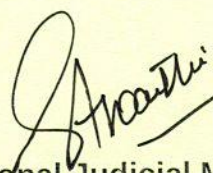
Based on the evidence provided, the court concludes that the accused are not guilty of the charges levelled against them.

In the result it is therefore :-

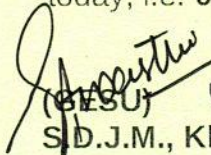
ORDERED

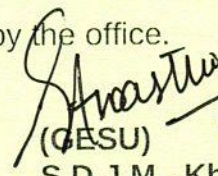
That the accused namely, A1 : Sumit Kumar, A2 : Lalita Devi, A3 : Ranu Singh & A4 : Swati Kumari are **acquitted** and **set at liberty** from the charges levied against them for offences punishable Under sections 498 (A)/34 of I.P.C. & 3/4 Dowry Prohibition Act. The above-named accused and their bailors are also discharged from the respective liabilities of there bail bond.

Dated: 05.08.2026


05/08/26
(Gesu)
Sub-Divisional Judicial Magistrate,
Khagaria

The judgement has been typed, corrected, signed, and pronounced by me today, i.e. 05.08.2026 in the open court and sealed by the office.


05/08/26
(GESU)
S.D.J.M., Khagaria


05/08/26
(GESU)
S.D.J.M., Khagaria



Date of Judgement	05.08.2026
Date of Reserving Judgment	27.07.2026
Uploading Date	13.08.26
Uploaded by	aiten dr DE.O

NAME OF P.O. - Smt. GESU

FORM - C

LIST OF PROSECUTION /DEFENCE/COURT WITNESSES :

A. Prosecution :

RANK	NAME	NATURE OF EVIDENCE (Eye-witness, Witness of last seen circumstance, Medical Jurist/ Medical Witness, Investigating Officer, Complainant/First Informant, Police Witness, Expert Witness, Panch Witness, Other witness)
P.W. 1	Jyoti Kumari	Informant

B. Defence witnesses :

RANK	NAME	NATURE OF EVIDENCE (Eye-witness, Witness of last seen circumstance, Medical Jurist/ Medical Witness, Investigating Officer, Complainant/First Informant, Police Witness, Expert Witness, Panch Witness, Other witness)
NIL	NIL	NIL

C. Court witnesses :

RANK	NAME	NATURE OF EVIDENCE (Eye-witness, Witness of last seen circumstance, Medical Jurist/ Medical Witness, Investigating Officer, Complainant/First Informant, Police Witness, Expert Witness, Panch Witness, Other witness)
NIL	NIL	NIL

LIST OF PROSECUTION/DEFENCE/COURT EXHIBITS :

A. Prosecution :

Sl. No.	Exhibit Number	Description (Inquest Panchnama/ Memo, Recovery Panchnama/ Memo, Arrest Memo, Post-mortem Report, FSL Report, Other exhibit)	Proved by/ Attested by
1	Exhibit - P1/ P.W. 01	Other exhibit : Signature of the informant on the written application forming the basis of the F.I.R.	Informant

B. Defence :

Sl. No.	Exhibit Number	Description (Inquest Panchnama/ Memo, Recovery Panchnama/ Memo, Arrest Memo, Post-mortem Report, FSL Report, Other exhibit)	Proved by/ Attested by
1	NIL	NIL	NIL

C. Court exhibits :

Sl. No.	Exhibit Number	Description (Inquest Panchnama/ Memo, Recovery Panchnama/ Memo, Arrest Memo, Post-mortem Report, FSL Report, Other exhibit)	Proved by/ Attested by
1	NIL	NIL	NIL

D. Material Objects/ Muddamals :

Sl. No.	Material Object Number	Description (Weapon of Offence, Clothing of accused / Victim, Mobile Phone/ Electronic Object/ Vehicle, Purse/ Earrings/ Identity card, Other Material Objects.	Proved by/ Attested by
1	NIL	NIL	NIL



05/08/26