

G.R CASE NO: 1708 of 2023 (C.I.S Regn. No: G.R Case No.- 765/2024)

C.N.R No. WBND13-001341-2024

JO CODE: WB01126

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FORM No. (M) 34

Form A

<b><u>IN THE COURT OF THE ADDITIONAL CHIEF JUDICIAL MAGISTRATE, RANAGHAT, NADIA.</u></b>	
<b>Present: Shri Soumyajit Bhattacharjee (W.B.J.S), A.C.J.M, Ranaghat, Nadia.</b>	
<b>J.O CODE:- WB01126</b>	
<b>[Date of the Judgment: 10<sup>th</sup> Day of March, 2026 (Tuesday)]</b>	
<b>Case No. G.R Case No. 1708 of 2023 T.R No. 655 of 2024</b>	
<b>(C.I.S Regn. No: G.R Case No: 765 of 2024)</b>	
<b>(C.N.R NO:WBND13-001341-2024)</b>	
<b>(Details of FIR/Crime and Police Station: Santipur P.S Case no. 423/2023, Dt. 04-05-2023 U/Sec 498A/34 of the Indian Penal Code here-in-after referred to as "I.P.C".)</b>	
<b>COMPLAINANT</b>	<b>STATE OF WEST BENGAL</b>
<b>REPRESENTED BY</b>	<b>Sri. Pradip Pramanik, Ld. A.P.P</b>
<b>ACCUSED</b>	<ol style="list-style-type: none"><li>1. <b><u>Ajay Das (A1)</u></b>, S/O Pradip Das, Resident of:- Ramgopal Sen Street, P.S- Santipur, Nadia.</li><li>2. <b><u>Sujoy Das (A2)</u></b>, S/O Pradip Das, Resident of:- Do-.</li><li>3. <b><u>Bijoy Das (A3)</u></b>, S/O Pradip Das, Resident of:- Do-. <b>[Filed for ever vide Order dt: 27-08-2025]</b></li><li>4. <b><u>Pradip Das (A4)</u></b>, S/O Late Khetra Mohan Das, Resident of:- Do-.</li><li>5. <b><u>Shipra Das (A5)</u></b>, W/O Pradip Das, Resident of:- Do-.</li></ol>
<b>REPRESENTED BY</b>	<b>S. Chakraborty, Ld. Defence Counsel.</b>

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FORM No. (M) 35

**Form B**

<b>Date of Offence</b>	<b>Since after the marriage of the defacto-complainant and in March, 2023.</b>
<b>Date of FIR</b>	<b>04-05-2023</b>
<b>Date of Chargesheet</b>	<b>26-05-2023</b>
<b>Date of framing of Charges</b>	<b>09-09-2025</b>
<b>Date of Commencement of Evidence</b>	<b>09-09-2025</b>
<b>Date on which Judgment is reserved</b>	DOES NOT ARISE
<b>Date of the Judgment</b>	<b>10-03-2026</b>
<b>Date of the Sentencing Order, if any</b>	DOES NOT ARISE.

**Accused Details**

<b>Rank of the Accused</b>	<b>Name of the Accused</b>	<b>Date of arrest</b>	<b>Date of release on Bail</b>	<b>Offences charged with</b>	<b>Whether acquitted or convicted</b>	<b>Sentence imposed</b>	<b>Period of detention undergone during trial for purpose of section 428, Cr.P.C</b>
<b>A1.</b>	<i>Ajay Das</i>	Not arrested; since surrendered before this Court.	06-05-2023; released on bail from this Court.	498A of I.P.C.	Acquitted	N.A	NIL
<b>A2.</b>	<i>Sujoy Das</i>	- Do-	- Do-	- Do-	- Do-	- Do-	- Do-
<b>A3.</b>	<i>Bijoy Das [Filed for ever]</i>	- Do-	- Do-	- Do-	- Do-	- Do-	- Do-
<b>A4.</b>	<i>Pradip Das Das</i>	- Do-	- Do-	- Do-	- Do-	- Do-	- Do-
<b>A5.</b>	<i>Shipra Das</i>	- Do-	- Do-	- Do-	- Do-	- Do-	- Do-

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FORM No. (M) 36

Form C

**LISTS OF PROSECUTION/ DEFENCE/ COURT WITNESSES**

**A. Prosecution**

Rank	Name	Nature of Evidence (Eye-witness, police witness, expert witness, medical witness, panch witness, other witness)
P.W 1	Riya Das	Defacto-Complainant-cum- victim.

**B. Defence:- No witness in support of defence has been produced.**

**C. Court:- No Court witness has been summoned.**

**LIST OF PROSECUTION EXHIBITS**

**A. Prosecution:-**

Sr. No.	Exhibit No.	Description
1.	Exhibit P-1/PW1	The signature of the defacto-complainant on the written complaint.

***B. Defence:- No document has been furnished on behalf of the accused persons, in support of his defence.***

***C. Court:- No documents has been marked as Exhibit by Court.***

***D. Material Object:- No material object has been produced as evidence.***

**J U D G M E N T**

**PROSECUTION CASE IN LACONIC:-**

1. The factual matrix of the prosecution case is that one written complaint was lodged on 04-05-2023 by one Riya Das to the effect that after her marriage with Ajay Das (A-1) as per Hindu rites and customs, she was subjected to torture both

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physically and mentally by the accused persons over the issue of family matters and lastly in the month of March, 2023 the accused persons driven out the defacto-complainant from her matrimonial house. On the basis of such written complaint, the instant criminal case has been initiated against the above-named accused persons. After completion of investigation, the I.O has submitted the Charge-sheet U/Sec 498A/34 of the I.P.C against the aforesaid accused persons and the instant case record was kept under the personal file of this Court for trial and disposal. Accordingly, the charge was framed against the above-named accused persons u/s-498A of I.P.C and the accused persons pleaded their innocence and claimed to be tried. Hence, this case has entered into trial.

**Examination of the accused U/S- 313 of Cr.P.C**

2. After completion of the prosecution evidences, all the accused persons (except A-3, since filed for ever) have been examined u/s-313 of the Code of Criminal Procedure (here-in-after referred to as “Cr.P.C”), wherefrom it appears that there is no specific defence case and they had pleaded their innocence and refused to adduce any evidence from their part.

**3. POINTS FOR CONSIDERATION**

(a) Whether the prosecution has been able to prove its case against the above-named accused persons under Section- 498A of I.P.C, beyond the shadow of all reasonable doubts ?

(b) If the accused persons are held guilty, then what would be the quantum of punishment in this case?

**ARGUMENT MADE BY THE PROSECUTION**

4. During the course of argument, Ld. A.P.P rests the case upon the wisdom and the sense of judgment of this Court.

**ARGUMENT MADE BY THE Ld. DEFENCE COUNSEL**

5. On the contrary, Ld. Defence Counsel during his argument highlighted that none of the prosecution witnesses have casted anything in this case wherefrom the offence under charge against the accused persons can be proved beyond all reasonable doubt. Lastly, Ld. Defence Counsel argued before this Court that the prosecution has

miserably failed to prove its case for non-producing any convincing evidence against the accused persons and as such, Ld. Defence Counsel prayed for acquittal in favour of the accused persons from this case.

### **DECISION WITH REASONS**

6. Since, both the points are so intricately interwoven with each other that to discuss each of them separately will entail repetition of similar facts and evidence, hence both the points are taken up together for the sake of brevity and convenience of discussion after juxtaposing them both in law and in fact so as to unravel them and also for delineation and analysis for coming to a reasonable culmination.

#### **FINDINGS OF THIS COURT AFTER EVIDENCE SCANNING:-**

7. During the process of scanning and analysing the evidence, **firstly**, it appears on record, that none of the ingredients of the alleged section under charge has been established by the prosecution evidence. **Secondly**, whatever evidence has come up before this Court that does not prove the guilt of the accused persons beyond the shadow of all reasonable doubt. **Thirdly**, the defacto-complainant who has set the criminal law into motion has failed to corroborate the contents of the written complaint during deposition for which it is the fatal blow to the prosecution case. **Finally**, it is not out of place to mention here that no such facts have been established from the prosecution evidences which becomes consistent only with the guilt and inconsistent with innocence of the accused persons.

8. On the basis of above observations and findings, this Court has no hesitation to come to a definite conclusion that due to lack of substantial piece of evidence and in absence of the basic ingredients in order to constitute the alleged offences under charge, the guilt of the accused persons has not been proved beyond the shadow of all reasonable doubts and as such, the aforesaid accused persons deserve acquittal and hereby acquitted accordingly.

9. Hence, it is

#### **ORDERED**

that the accused persons namely **1. Ajay Das (A1), 2. Sujoy Das (A2), 3. Bijoy Das (A3) [Filed for ever vide Order dt: 27-08-2025], 4. Pradip Das (A4) &**

**5. Shipra Das (A5) are found not guilty** of the offence punishable under section–498A of I.P.C and accordingly, the above-named accused persons are hereby **acquitted** under section 248 (1) of Cr.P.C from this case.

**10.** In view of Sec. 437-A Cr.P.C. the accused persons having presented a petition to permit them to remain on the terms and conditions of the previous bail bonds, the prayer is allowed. They are permitted to remain on self same bond for the next six months with direction upon them to appear before the Appellate Court as and when any appeal is filed against this judgment within such period.

**11.** Seized articles, if any, be disposed off, as per law after the appeal period is over.

**12.** In compliance with the direction of the Hon’ble High Court in Sabitri Bhunya— Vs--The State of West Bengal and Others in CRA 266 of 2020 (decision on 29-03-2022), it is hereby endorsed by this Court that the victim has the right to prefer an appeal under proviso to Section 372 of Cr.P.C and if necessary, to avail free legal assistance through the legal services authorities concerned to prefer and prosecute such appeal.

**13.** Let a copy of this judgment of acquittal be forwarded to the District Magistrate, Nadia and District Legal Services Authority, Nadia for due intimation to the victim in compliance with the aforesaid direction of the Hon’ble High Court.

**14.** The Judgment is pronounced and delivered in the Open Court on this 10<sup>th</sup> day of March, 2026.

**15.** D/A is directed to upload the softcopy of this judgment in “C.I.S” at once, so as to enable the parties and the Ld. Counsels to access the same from the official website of e-Courts project and necessary noting be made in the relevant register accordingly.

Typed, printed & corrected by me,  
Sd/- Soumyajit Bhattacharjee

Sd/- Soumyajit Bhattacharjee

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A.C.J.M,  
Ranaghat, Nadia.  
JO CODE:WB01126

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Additional Chief Judicial Magistrate,  
Ranaghat, Nadia.  
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