

FORM A

In the Court of the Ld. Judicial Magistrate, 3rd Court, Sadar Cooch Behar

**Present: SMT. RITWIK MOHANTA, JUDICIAL MAGISTRATE
3rd COURT, RANAGHAT, NADIA**

Date of Judgment – 14th Day of July, 2026

G.R. Case No. – 4342/2024 Reg: 3095/2025

Details of FIR/Crime and Police Station :-

Dhantala Case/FIR No. – 714/2024 Dated 19-10-2024 u/s 329(2)/115(2)/74/3(5) BNS

Complainant

STATE OF WEST BENGAL

REPRESENTED BY

ASSISTANT PUBLIC PROSECUTOR

ACCUSED

- A1. Pintu Mondal**
- A2. Dulal Mondal**
- A3. Monika Mondal**
- A4. Rita Sarkar**
- A5. Mita Sarkar**
- A6. Tripti Majumder**

REPRESENTED BY

Ld. Advocate

FORM B

DATE OF OFFENCE	18-10-2024
DATE OF FIR	19-10-2024
DATE OF CHARGE SHEET	31-10-2024
DATE OF FRAMING OF CHARGE	08-07-2024
DATE OF COMMENCEMENT OF EVIDENCE	08-07-2026
DATE ON WHICH JUDGMENT IS RESERVED	N.A
DATE OF THE JUDGMENT	14-07-2026
DATE OF THE SENTENCING ORDER, IF ANY	N.A

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
Accused No-1.	Pintu Mondal	NIL	05-11-2024	U/S. 329(2)/115(2) /74/3(5) of BNS	THE ACCUSED PERSONS ARE ACQUITTED	N.A	N.A
Accused No-2.	Dulal Mondal						
Accused No-3.	Monika Mondal						
Accused No-4.	Rita Sarkar						
Accused No-5.	Mita Sarkar						
Accused No-6.	Tripti Majumder						

FORM C

LIST OF PROSECUTION/DEFENCE/COURT WITNESSES

A. PROSECUTION

RANK	NAME	NATURE OF EVIDENCE (EYE WITNESS, POLICE WITNESS,EXPERT WITNESS,MEDICAL WITNESS, PANCH WITNESS,OTHER WITNESS)
PW-1	Sadhana Mondal Gain	De-facto Complainant
PW-2	Girindra Nath Gain	Other witness
PW-3	Basanti Gain	Other witness

B. DEFENCE WITNESSES IF ANY:

RANK	NAME	NATURE OF EVIDENCE (EYE WITNESS, POLICE WITNESS,EXPERT WITNESS,MEDICAL WITNESS,PANCH WITNESS,OTHER WITNESS)
DW1	NA	NA

C. COURT WITNESSES IF ANY:

RANK	NAME	NATURE OF EVIDENCE (EYE WITNESS, POLICE WITNESS,EXPERT WITNESS,MEDICAL WITNESS,PANCH WITNESS,OTHER WITNESS)
CW1	N.A	NA

LIST OF PROSECUTION/DEFENCE/COURT EXHIBITS

A. PROSECUTION EXHIBITS

Sr. no	EXHIBIT NUMBER	DESCRIPTION
1.	Exhibit-P-1/PW-1	Signature of PW 1 on the written complaint

B. DEFENCE EXHIBITS

Sr. no	EXHIBIT NUMBER	DESCRIPTION
1.	Exhibit-D-1/DW1	NA

C. COURT EXHIBITS

Sr. no	EXHIBIT NUMBER	DESCRIPTION
1.	Exhibit-C-1/CW1	NA

D. MATERIAL EXHIBITS

Sr. no	MATERIAL OBJECT NUMBER	DESCRIPTION
1.	Mat-I	NA



J U D G M E N T

The case was originated on the basis of a written information filed by one Sadhana Mondal Gaine , wherein she made allegations that on 18.10.2024 at around 8am, the accused persons wrongfully entered into house of the defalcator-complainant and assaulted her. Not only that the accused persons outraged her modesty .

On receiving the written complaint, one Dhantala P.S Case no. 714 of 2024 dated19.10.2024 under section 329(4)/115(2)/74/3(5) of B.N.S was initiated and the case was endorsed to one A.S.I Tarun Mitra of Dhantala P.S as I.O to investigate the case. Charge sheet was submitted by the I.O against the accused persons. Subsequently, cognizance was taken by the Ld. A.C.J.M., Ranaghat and after that the case was transferred to this Court by the order of the Ld. A.C.J.M., Ranaghat for trial. This Court framed charge under section 329(4)/115(2)/74/3(5) of the B.N.S against the accused persons after hearing the State and the accused persons. The accused persons hearing the contents of charge vehemently remonstrated the allegation and pleaded innocence and accordingly the court fixed the case for trial.

The prosecution has examined as many as three witnesses including the defacto complainant which are mentioned above in the prescribed format and then prayed for closure of evidence. I am not repeating the description of the same as the same will make this judgement voluminous one only.

After closure of evidence from prosecution side, the examination of accused persons under Section 351 of BNSS were dispensed on considering the oral account of the accused persons.

Points for considerations are :

- 1)** Whether the accused persons are guilty or not.
- 2)** Whether the prosecution has succeeded in proving the case.

DECISION WITH REASONS

Since both the points for consideration are interlinked they are taken up together for determination.

The prosecution has come up with plethora of allegations against the present accused persons and in order to substantiate its allegation, it has firstly called the defacto complainant on dock. The de-facto complainant while deposing as P.W.1 has identified the accused persons on dock. While narrating the alleged incident, she has stated that on the date of incident at around 8.30 am, one scuffling was taken place between the accused persons and her over some family matters.

The victims / father and sister in law of the defacto complainant namely Girindra nath Gaine and Basanti Gaine have faced the dock as P.W 2 and PW3 and they have that they sustained injury during a scuffling that was taken place between them and the accused persons over land matters.

The prosecution has made the allegations of sustaining injuries upon the victims apart from the allegation of outraging the modesty of the female victim. However, the prosecution has not adduced any single piece of paper to substantiate the injuries upon the victims. The prosecution could have produced any medical expert to make the injuries evident. However, no such evidence has ever been come forth from its end. In fact, the victims have completely negated the fact of hurt in their examination. They have flatly stated that they have not seen any assailants as it was dark at the time of incident. The other allegations of the prosecution has never been uttered by any of its witnesses at any point while facing the dock. In fact the female victims have never been identified by the IO or the prosecution.

At this juncture, I am to say that mere bald allegations of fact do not conclusively prove the same. It must be proved by corroborative, cogent evidence.

Considering the evidences of the prosecution, I am of the opinion that the prosecution has miserably failed to prove its case beyond reasonable doubt against the accused persons.

For the reasons assigned here in before, the prosecution case fails. The accused persons deserve to be acquitted from this case.

Hence, it is,

ORDERED

that the accused persons namely **Pintu Mondal, Dulal Mondal, Monika Mondal, Rita Sarkar, Mita Sarkar and Tripti Majumder** are found **not guilty** for the offence punishable under section **329(4)/115(2)/74/3(5)** of BNS and they are **acquitted** from this case u/s 271(1) of the BNSS.

The accused persons will be released from their bail bonds after appeal period be over.

Note it in the relevant register.

Dictated and Corrected by me,

Sd/-
(SMT. RITWIK MOHANTA)
Judicial Magistrate, 3rd Court,
Ranaghat, Nadia

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(SMT. RITWIK MOHANTA)
Judicial Magistrate, 3rd Court,
Ranaghat, Nadia