

**In Court of Additional Chief Judicial Magistrate,
Bongaon, North 24 Parganas**

Present:- Md. Tarik Ferdaus,
Additional Chief Judicial Magistrate,
Bongaon, North 24 Parganas

G.R. case no. 697 of 2025 CIS No.250 of 2026

CNR no. WBNP 0700 0377 2026

(J.O. Code - WB01259)

In the matter of

State

Prosecution

V/S

1. Chumki Ghosh
2. Chiranjit Ghosh
3. Sujit Ghosh

....Accused persons

**(Bongaon PS case No.214/2025 dated 08.03.2025 under Sections
126(2)/115(2)/305(a)/61(2) of BNS)**

Date of Delivery of Judgment: 16th Day of March, 2026.

JUDGMENT

Case of the prosecution as under :

It is the case of the prosecution that on 18.02.2025 around 10 p.m. all accused persons involved heated argument with the informant and when he protested then the accused persons pushed her daughter in law and also snatched gold ornaments from his possession. Moreover, accused persons threatened them with dire consequences and the accused persons also snatched Rs.50000/- from his possession at the time of incident.

Thereafter, the informant lodged complaint at **Bongaon PS case No.214/2025 dated 08.03.2025 under Sections 126(2)/115(2)/305(a)/61(2) of BNS** and I.O. of this case began investigation of this case.

Subsequently, after conducting investigation of the matter, examining the witness I.O. filed **charge sheet being No.356/2025 dated 31.04.2025 under sections 126(2)/115(2)/3(5) of BNS**. Subsequent to that on **13.02.2026** after considering the material available on record the contents of charge have been read over and explained to the accused persons to which they abjured the alleged guilt and claimed to be tried and accordingly, charged under sections **126(2)/115(2)/3(5) of BNS** have been framed.

Evidence adduced

The prosecution has adduced four witnesses in this case. The witnesses namely, **Kamal Kanti Ghosh, Dilip Ghosh, Tapashi Ghosh and Jhumpa Ghosh** have been examined as P.W.-1, PW-2, PW-3 and PW-4. No other witness has been examined by the prosecution on their behalf.

Subsequently after completion of the prosecution evidence, as per mandate of law the accused persons were examined under section 313 by putting the incriminating materials before them which transpired during trial. During the examinations under Section 313 of the Code of criminal Procedure, the accused persons claimed to be not guilty.

Point for determination

Whether the prosecution has proved beyond reasonable doubts that the accused persons have committed the offence under sections **126(2)/115(2)/3(5) of BNS** ?

Decision with reason

In this case the informant has been examined as P.W.1 and he in his examination in chief stated that he cannot recollect as to why he lodged the present case. He has also stated that he does not have any allegation against the accused persons.

In his cross-examination, he stated that he would not have any objection if the accused persons being acquitted from this case and he is deposing out of his free will.

PW-2, PW-3 and PW-4 have deposed in the same tune as of PW-1.

On consideration all the evidences of record, I do not find any incriminating materials against accused persons and in such situation the Court is left with no option but to acquit the accused persons from this case.

In view of the aforesaid findings, this Court of the view that the prosecution has failed to prove the guilt of the accused persons beyond reasonable doubt and as such, the accused persons are liable to be acquitted from this case.

Hence, it is,

ORDERED

that the accused persons namely, **1. Chumki Ghosh, 2. Chiranjit Ghosh and 3. Sujit Ghosh** are adjudicated as 'not-guilty' and they are acquitted Under section 248(1) of the Code of criminal procedure, 1973 from the charge under sections **126(2)/115(2)/3(5) of BNS.**

The surety is/are also discharged. Seized articles, if any which is not claimed by the parties, shall be destroyed after the expiration of the prescribe period of limitation for filing appeal.

Note in the concerned register and upload the same in the CIS.

D & C by me,

(Md. Tarik Ferdous)
ACJM, Bongaon
North 24 Parganas

(Md. Tarik Ferdous)
ACJM, Bongaon
North 24 Parganas

Gr 697/2025

Order dated 16.03.2026

Today is fixed for examination of U/s 313 Cr.P.C , argument and judgment.

All the accused persons on Court bail are present by filing hazira along with Ld. Defence Counsel.

Ld. APP is present.

All the accused persons are examined U/s 313 Cr.P.C in full and discharge and they had declined to adduce evidence on their behalf, in first half.

Later in second half.

Heard argument in full.

The judgement is ready .

Judgment is passed in the open court.

Copy of judgment is duly signed and sealed is kept with record.

Hence, it is,

ORDERED

that the accused persons namely,1. Chumki Ghosh, 2. Chiranjit Ghosh and 3. Sujit Ghosh are adjudicated as 'not-guilty' and they are acquitted Under section 248(1) of the Code of criminal procedure, 1973 from the charge under sections 126(2)/115(2)/3(5) of BNS.

The surety is/are also discharged. Seized articles, if any which is not claimed by the parties, shall be destroyed after the expiration of the prescribe period of limitation for filing appeal.

Note in the concerned register and upload the same in the CIS.

D/C

A.C.J.M.

A.C.J.M. Bongaon,

North 24 Parganas