

West Bengal Form No.3959
High Court Criminal Form No.(p)39

ST 5(5)2024

CHARGES WITH FOUR HEADS
[No. XXVIII (II), SCHEDULE V, ACT, 1808]
[Sections 221,222, 223, Code of Criminal Procedure]

Name and office of I, Sanjay Naskar, Additional Sessions Judge, Fast Track 3rd Court
at Basirhat, North 24 Parganas.

hereby charge you namely
as follows :

Accused named

- 1.Siddikulla Mondal,**
- 2.Taslima Bibi,**
- 3.Abdul Rasid Mondal .**

Firstly- That you Siddikulla Mondal being the husband of Reshma Khatun and rest you being her in laws, since her marriage specifically on 23.03.2023 at about 1:50 a.m., at her matrimonial home, in furtherance of common intention of all subjected her to cruelty both physically and mentally and that you thereby committed an offence punishable u/s **498A/34 of IPC** and within the cognizance of this court.

Secondly- That you Siddikulla Mondal being the husband of Reshma Khatun and rest you being her in laws, since her marriage specifically on 23.03.2023 at about 1:50 a.m., at her matrimonial home, in furtherance of common intention of all, and you being entrusted with the articles of Reshma Khatun, converted the same to your own use and that you thereby committed an offence punishable u/s **406/34 of IPC** and within the cognizance of this court.

Thirdly- That you Siddikulla Mondal being the husband of Reshma Khatun and rest you being her in laws, on 23.03.2023 at about 1:50 a.m., at her matrimonial home, in furtherance of common intention of all, committed dowry death by causing death of Reshma Khatun by strangulation and that you thereby committed an offence punishable u/s **304B/34 of IPC** and within the cognizance of this court.

Fourthly- That on 23.03.2023, at about 1:50 a.m. at her matrimonial home, Reshma Khatun committed suicide and you Siddikulla Mondal being the husband of Reshma Khatun and rest you being her in laws, in furtherance of common intention of all, abated the commission by torturing her, subjecting her to cruelty over the demand of dowry, valuable articles and that you thereby committed an offence punishable u/s **306/34 of IPC** and within the cognizance of this court.

That the content of the said charges is read over and explained to them to which they plead not guilty but claim to be tried.

And, hereby direct that you be tried by the said Court on the said charges.

Dated this 7th day of May, 2024

Additional Sessions Judge,
Fast Track 3rd Court, Basirhat,

West Bengal Form No.3959
High Court Criminal Form No.(p)39

ST 5(5)2024

CHARGES WITH ONE HEAD
[No. XXVIII (II), SCHEDULE V, ACT, 1808]
[Sections 221,222, 223, Code of Criminal Procedure]

Name and office of I, Sanjay Naskar, Additional Sessions Judge, Fast Track 3rd Court
at Basirhat, North 24 Parganas.

hereby charge you namely
as follows :

Accused named
1.Idrish Mondal.

Firstly- That you being the Bhasur of Reshma Khatun, since her marriage specifically on 23.03.2023 at about 1:50 a.m., at her matrimonial home, in furtherance of common intention of all other accused subjected her to cruelty both physically and mentally and that you thereby committed an offence punishable u/s **498A/34 of IPC** and within the cognizance of this court.

That the content of the said charges is read over and explained to them to which they plead not guilty but claim to be tried.

And, hereby direct that you be tried by the said Court on the said charges.

Dated this 7th day of May, 2024

Additional Sessions Judge,
Fast Track 3rd Court, Basirhat,

ST 5(5)2024
Present. Sri. Sanjay Naskar, Ld. P.O.
JO Code (UID No) WB01025

Order no. 1 dt. 07-05-2024

Accused Mijanur Mondal is produced from J.C. and taken into custody. Rest accused persons are present by filing hazira. Today is fixed for consideration of charge. Ld. PP-in-Charge is present. The accused Mijanur Mondal has filed petition praying for bail.

Having heard and on perusal of the record, it appears that charge sheet came to be lodged against the accused persons namely, Siddikulla Mondal, Taslima Bibi, Abdul Rasid Mondal for committing the offence punishable u/s 498A/304B/406/306/34 of IPC and against the accused namely, Idrish Mondal, Banu Bibi and Mijanur Mondal for committing the offence punishable u/s 498A/34 of IPC. Though the I.O. has put the section 3/4 D.P.Act in the charge sheet but subsequently, it has been cut by striking pen and attested by putting his signature. It further appears that the accused Siddikulla Mondal is the husband of the deceased. Abdul Rasid and Taslima Bibi are the parents-in-law of the deceased and Idrish Mondal is the 'Bhasur" of the deceased. The accused Banu Bibi and Mijanur Mondal are not the in-laws of the deceased as would appear from the statement of the witnesses recorded during the course of investigation. It is alleged that accused Siddikulla Mondal developed illicit relation with Banu Bibi and when it was protested the accused Siddikulla Mondal and the other accused beat the deceased up mercilessly and tortured her. It further appears from the statement of the witnesses recorded u/s 161 of Cr.P.C. that Mijanur is a near relative of the deceased. Banu Bibi and Mijanur Mondal did not reside with the deceased under the same roof. No specific overt acts have been attributed with regard to subjecting the deceased to cruelty, to the accused Banu Bibi and Mijanur Mondal. Nothing has been seized from the possession of the accused Banu Bibi and Mijanur Mondal. So, this court finds that there is no sufficient ground for proceeding against the accused Banu Bibi and Mijanur Mondal and they should be discharged u/s 227 of Cr.P.C. Accordingly, let the accused Banu Bibi and Mijanur Mondal be discharged u/s 227 of Cr.P.C. from the charge u/s 498A/34 of IPC. So, the bail petition of the accused Mijanur Mondal calls for no order. Let the copy of this order be sent to the Lock up Incharge Basirhat Court and Superintendent,

Basirhat Correctional Home for information and necessary action.

On perusal of the case records, charge sheet and the documents filed, this Court feels, there are sufficient materials for presuming, the accused persons namely, Siddikulla Mondal, Taslima Bibi, Abdul Rasid Mondal have committed the offence punishable u/s **498A/304B/406/306/34 of IPC** and there are sufficient materials for presuming that the accused Idrish Mondal has committed the offence punishable u/s 498A/34 of IPC. The substance of accusation of the offence is that the accused Siddikulla Mondal being the husband of Reshma Khatun and rest accused being her in laws, since her marriage, at her matrimonial home, in furtherance of common intention of all, subjected her to cruelty both physically and mentally over the demand of dowry, valuable articles and misappropriated her property which she received in her marriage and on 23.03.2023, around 1:50 a.m. at night, committed dowry death of Reshma Khatun by causing her death by strangulation at her matrimonial home or in alternative abated the commission of suicide of Reshma Khatun by subjecting her cruelty over demand of dowry, valuable articles etc. The substance of accusation of the offence punishable u/s **498A/406/304B/306/34 of IPC** is read over and explained to the accused persons to which they plead not guilty but claim to be tried. The charge so framed is also written in separate form and kept with the record. Thus the charge has been framed against the accused persons.

To 14.05.2024 for evidence of CSW-1 and 2.

Issue summon accordingly.

Additional Sessions Judge,
Fast Track 3rd Court, Basirhat,
North 24 Parganas