

G.R. 1767/16

Order dated 2.6.26

Record is put up.

The sole accused person on C/B are present before this Court by filing hazira.

Ld. A.P.P is present.

The defacto complainant namely, Amit Mondal had appeared before the Court along with photocopy of aadhar card by filing Vakalatnama and had also filed a petition stated that the dispute between him and the accused persons had now been amicably resolved. The same was kept with the record.

CSW1, namely, Amit Mondal is examined and cross examined in full and discharged as PW1. His signature upon the complaint is marked as Exhibit P1.

Upon perusal of the record, it appears that the prosecution has produced one witness till date and all the important witnesses related to the case has been examined by this Court already.

In view of the period of almost 10 years for which the instant case has been pending and after perusal of the deposition of the defacto complainant as well as considering the fact that the dispute between the accused person and the defacto complainant is now been resolved amicably, this Court observes that no further opportunity should be given to the prosecution.

Ld. APP has also verbally submitted for closing down the evidence for prosecution.

Prayer is allowed and evidence for the prosecution is hereby closed.

Now the record is taken up for examination of accused persons under section 313 CrPC. On perusal of the evidence on record, on the basis of evidence of prosecution, the accused persons are examined u/s 313 CrPC and kept with case record.

Ld. Advocate for the accused person submitted for not adducing the defence witnesses, accordingly the DW is closed.

Now the record is taken up for hearing argument. Heard the Argument. Considered.

Fix after recess for judgment.

Dictated & Corrected by me.

Judicial Magistrate 2nd Court,
Barrackpore, North 24 Parganas

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Later,

The Judgment is ready containing 05 pages sealed and signed and is pronounced in the open court.

Hence, it is,

ORDERED

that the accused person namely Gopal Bhowmick is found not guilty of the offence punishable under Sections 341/323/506 of IPC and he is hereby acquitted from the instant case u/s 255 (1) of Cr. P.C.

The bail bonds of the above mentioned accused persons shall remain in force for a period of 06(six) months from the date of this Judgment as per the provision of section 437A of Cr.P.C.

Dictated & Corrected by me.

(Sayantani De Tarafder)
Judicial Magistrate 2nd Court,
Barrackpore, North 24 Parganas

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