

FORM-A**IN THE COURT OF THE ADDITIONAL SESSIONS JUDGE,
BHANJANAGAR, DISTRICT: GANJAM.**

Present: Shaikh Md. Quais, M.A., LL.M.,
Addl. Sessions Judge, Bhanjanagar,
Dist.Ganjam.

JO Code No: OD-0300

Dated the 11th day of August, 2026

CASE No.ST.217 of 2025

(Arising out of GR.326/2025, corresponding to Buguda PS case
no.339/2025 committed by the learned JMFC, Buguda.)

COMPLAINANT	STATE OF ODISHA
REPRESENTED BY	Ms. Dipanjali Mahapatra, Addl.PP. and Sri Ushakanta Pattnaik, Addl.PP.
ACCUSED PERSONS	1.Sesadeva Kar , aged about 22 years, S/o.Late Harekrushna Kar of Vill.Balipadar, Bellaguntha Road, PS.Buguda, Dist.Ganjam. 2.Dibyabharati Panigrahi , aged about 31 years, W/o.Ajaya Panigrahi of Bellaguntha, Jagannath Prasad Road, PS.Bellaguntha, Dist.Ganjam.
REPRESENTED BY	Sri H.P. Dash & Associates, Advocates.

FORM-B

Date of Offence	21.05.2025
Date of FIR	21.05.2025
Date of Charge sheet	31.08.2025

Date of Framing of Charges				28.07.2026			
Date of commencement of evidence				05.08.2026			
Date on which judgment is reserved				06.08.2026			
Date of the judgment				11.08.2026			
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.PC
1.	Sesadeva Kar	22.05.2025	09.06.2025	U/s.296/74/76/115(2)/351(2)/3(5) BNS.	Acquitted	Nil	N.A.
2.	Dibabharati Panigrahi	Under notice U/s.35(3) BNS		U/s.296/3(5) BNS.	Acquitted	Nil	N.A.

J U D G M E N T

The accused Sesadeva Kar stands charged for offences punishable U/s.296/74/76/115(2)/351(2)/3(5) of BNS and accused Dibyabharati Panigrahi stands charged for offence U/s.296/3(5) of BNS.

2. The case of the prosecution in short, runs as hereunder:

On 21.05.2025 at 11.03 PM the informant Tapaswini Panda presented a written report before Buguda PS to the effect that on the same day at about 12 noon the present accused persons along with

one Srimati Jayanti Kar, babula Panigrahi, Sukadeva panigrahi, Nilakantha Panigrahi and Ajaya Panigrahi forcibly entered into her house and used criminal force against her with intent to disrobe her and forced her to be naked. They also snatched away the mangalasutra, ring and mobile phone of the informant. When the husband of the informant came in rescue of the informant, the accused persons assaulted him. The accused persons also abused the informant and his husband in obscene language. One Ajaya Panigrahi threatened the informant to kill her.

Basing upon the report of the informant, Buguda PS case no.339 dtd.21.05.2025 for offences U/ss.296/74/76/115(2)/351(2)/3(5) of BNS was registered and the matter was investigated into. During investigation, the accused Sesadeva Kar was arrested and on completion of investigation, charge sheet U/s.296/74/76/115(2)/351(2)/3(5) of BNS against accused Sesadeva Kar and U/s.296/3(5) of BNS against accused Dibabharati Panigrahi was submitted to face their trial in the court of law.

The case being committed to this court by learned JMFC, Buguda, charge for the same offences was framed against the accused persons. Hence the trial.

3. Defence plea is one of complete denial of the prosecution allegations and false implication.

4. The points to be determined in this case

are whether on 21.05.2025 at 12 noon at Balipadar, Bellaguntha Road, the accused persons in furtherance of their common intention:-

- i. Abused the informant and his husband in obscene language in public place causing annoyance to them and others?
- ii. On the aforesaid date, time and place of occurrence accused Sesadeba Kar voluntarily caused hurt to the informant and his husband?
- iii. Criminally intimidated the informant and his husband to kill?
- iv. Assaulted or used criminal force against the informant with intent to outrage her modesty?
- v. Assaulted or used criminal force against the informant with intent to disrobe her or forced her to be naked?

5. In order to prove its case, prosecution has examined only two witnesses out of seven cited in the charge sheet and examination of the rest witnesses has been declined by the prosecution. PW.1 is the informant of this case. PW.2 is the husband of the informant. Apart from the oral evidence, the prosecution has marked only FIR vide Ext.P-1.

6. On the other hand, no oral or documentary evidence has been adduced from the side of defence.

7. PW.1, the informant has testified that about a year back due to some misunderstanding, there was some dispute with the accused persons for which she had lodged FIR against the accused persons. She further deposed that she has settled the dispute amicably and she does not want to proceed further with this case. On her evidence the FIR was marked vide Ext.1. On being cross-examined PW.1 deposed that he has got no allegations against the accused persons and they are residing peacefully with the accused persons. PW.2 who is the husband of the informant deposed that about a year back due to some misunderstanding there was some quarrel with the accused persons and now they have settled the dispute amicably at family level. He further stated that they do not want to proceed further with this case. On being cross-examined, PW.2 deposed that they have got no allegations against the accused persons and they are residing peacefully in the same family.

8. From the aforesaid evidence of prosecution witnesses, it reveals that the informant (PW.1) herself has not corroborated her own FIR story. Although she deposed that there was some dispute with the accused persons but she remained silent about the occurrence. None of the witness has whispered a single word against the accused persons for their involvement in the alleged offences. Under the above circumstances, I find no iota of evidence

against the accused persons and I find the prosecution has miserably failed to prove its case against the accused persons beyond all reasonable doubt.

9. In the result, I hold the accused Sesadeva Kar not guilty of the offences punishable U/s.296/74/76/115(2)/351(2)/3(5) of BNS and acquit him therefrom U/s.258 (1) of BNSS. I also hold the accused Dibyabharati Panigrahi not guilty of the offence U/s.296/3(5) of BNS and acquit her therefrom U/s.258(1) of BNS. The accused persons be set at liberty forthwith and they are discharged from their respective bail bonds.

Enter the case as mistake of fact.

10. No order is hereby passed relating to the disposal of the seized property, as nothing has been seized in this case.

Sd/-

Additional Sessions Judge, Bhanjanagar.

Judgment dictated to the Steno directly on computer, corrected by me and pronounced in the open Court today this the 11th day of August, 2026 under my signature and Seal of this Court.

Sd/-

Additional Sessions Judge, Bhanjanagar.

FORM-C

LIST OF PROSECUTION/ DEFENCE/ COURT WITNESSES		
A. Prosecution Witnesses		
Rank	Name	Nature of Evidence (Eye witness, Police Witness, Expert Witness, Medical Witness, Panch Witness, other witnesses)
PW.1	Tapaswini Panda	Informant
PW.2	Bighneswar Kar	Occurrence witness
B. Defence witnesses, if any		
Rank	Name	Nature of Evidence (Eye witness, Police Witness, Expert Witness, Medical Witness, Panch Witness, other witnesses)
--	Nil	--
C. Court witnesses, if any		
Rank	Name	Nature of Evidence (Eye witness, Police Witness, Expert Witness, Medical Witness, Panch Witness, other witnesses)
--	Nil	--
List of Prosecution/ Defence/ Court Exhibits		
A. Prosecution Exhibits		
Sl. No	Exhibit Number	Description
1	Ext.P-1/PW.1	FIR
2	Ext.P-1 ¹ /PW.1	Signature of PW.1 on FIR
B. Defence Exhibits		

Sl. No	Exhibit Number	Description
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C. Court Exhibits, if any		
Sl. No	Exhibit Number	Description
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D. Material Objects:		
Sl. No	Material Object Number	Description
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Sd/-

Additional Sessions Judge, Bhanjanagar.