

IN THE COURT OF THE ADDITIONAL SESSIONS JUDGE, FAST TRACK COURT – 1, PURULIA. Present : Sri Somak Das (J.O. Code-WB00944) Additional Sessions Judge, Fast Track Court No. -1, Purulia <u>Sessions Case No. 251/2025</u> <u>Sessions Trial No. 05(03)2026</u> <u>C.I.S. No. 251/2025</u> <u>CNR No. WBPU01-003126-2025</u> DATE OF JUDGMENT : <u>24th day of June, 2026</u>	
COMPLAINANT	STATE OF WEST BENGAL
REPRESENTED BY	Advocate Sumanta Mukherjee Public Prosecutor in-charge
ACCUSED	Laxman Singh
REPRESENTED BY	Advocate Swapan Kumar Majumdar

Date of Offence	Since last 7 years and lastly one month ago
Date of FIR	03.05.2025
Date of Charge sheet	30.06.2025
Date of Framing of Charges	19.03.2026
Date of commencement of Evidence	06.04.2026
Date on which Judgment is reserved	---
Date of Judgment	24.06.2026
Date of Sentencing Order, if any	NIL

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.
A-1	Laxman Singh	03.05.25	03.06.25	U/S 69 B.N.S	Acquitted	N/A	N/A

LIST OF PROSECUTION WITNESS		
RANK	NAME	NATURE OF EVIDENCE (EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS, OTHER WITNESS)
PW-1	Name not disclosed	Victim Lady
PW-2	Name not disclosed	Elder sister of the V.L
PW-3	Dr. Shobhan Roy	Medical witness
PW-4	LSI Elora Rakshit	Investigating Officer

LIST OF DEFENCE WITNESS		
RANK	NAME	NATURE OF EVIDENCE (EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS, OTHER WITNESS)
DW-1	NIL	NIL

LIST OF COURT WITNESS		
RANK	NAME	NATURE OF EVIDENCE (EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS, OTHER WITNESS)
CW-1	NIL	NIL

LIST OF PROSECUTION EXHIBITS			
Serial no.	Exhibit No.	Description of documents	By whom proved
1.	P1	Statement of V.L recorded u/s 183 BNSS	PW-1
2.	P2	Consent form for medical examination of the accused	PW-3
3.	P3	Medical examination report of the accused	PW-3
4.	P4	Consent form for medical examination of the V.L	PW-3
5.	P5	Medical examination report of the V.L	PW-3

6.	P6/1	Receiving endorsement along with her signature on typed complaint	PW-4
7.	P7	Formal F.I.R	PW-4
8.	P8 series	Rough sketch map and index of the P.O	PW-4
9.	P9	Seizure list dated 03.05.2025	PW-4
10.	P10	Seizure list dated 03.05.2025	PW-4
11.	P11	Seizure list dated 04.05.2025	PW-4
12.	P12	Seizure list dated 04.05.2025	PW-4

LIST OF DEFENCE EXHIBITS		
Sr. No.	Exhibit Number	Description
1.	NIL	NIL

LIST OF COURT EXHIBITS		
Sr. No.	Exhibit Number	Description
1.	NIL	NIL

LIST OF MATERIAL OBJECTS		
Sr. No.	Material Object Number	Description
1.	NIL	NIL

J U D G E M E N T

1. The accused person named above stands trial for the alleged offence punishable under Sections 69 B.N.S.
2. The fact of the prosecution case is that the defacto complainant/victim lady lodged a complaint before the O.C, Manbazar P.S to the effect that since last 7/ 8 years she had love affairs with the accused who promised her to marry. Lat about 7 years, the accused had been cohabiting with her and one month ago, he made physical relationship with hr forcefully at the jungle in front of her house. When she asked him to marry, he refuse to marry her. When she tried to contact him, he avoided her.
3. On the basis of the said written complaint, Manbazar P.S Case No. 47/25 dated

03.05.2025 was started against the accused person namely, Laxman Sing under Sections 69 B.N.S.

4. L.S.I Elora Rakshit of Manbazar P.S was entrusted to investigate the case, who after completion of the investigation, submitted charge sheet being no. 60/25 dated 30.06.2025 against the F.I.R named accused person (A-1) under Sections 69 B.N.S.

5. The Ld. Chief Judicial Magistrate, Purulia on 17.11.2025 committed this case to the court of learned Sessions Judge, Purulia u/s 232 BNSS. Cognizance was taken by the learned Sessions Judge, Purulia and on 12.12.2025 he transferred the case to this court for trial and disposal. On 16.01.2026, this Court received the case record.

6. On perusing the charge sheet and the materials sent with it, on 19.03.2026 charge has been framed against the accused person above named under Sections 69 B.N.S. The substance of charge under the above sections was read over and explained to the accused person in Bengali to which he pleaded not guilty by saying “Ami Nirdosh” and claimed to be tried.

7. After completion of the evidence of the prosecution, the accused person was examined under Section 351 BNSS. The accused person declined to adduce any defence witness on his behalf. The defence case as it appears from the trend of cross examination of the prosecution witnesses and the answers given by the accused person in examination under Section 351 BNSS is that of total denial of the prosecution case.

POINTS FOR CONSIDERATION

8. In order to ascertain the allegations against the accused person, the following points are framed for adjudication.

- i. Whether the accused person has committed any offence punishable under Sections 69 B.N.S ?
- ii. Whether the prosecution has been able to prove the case against the accused person beyond all reasonable shadow of doubt ?

DECISION WITH REASONS

9. Both the two points are taken up together for consideration for the sake of convenience as they are interrelated.

10. The prosecution, to establish the occurrence and to bring home the charges as labeled against the accused person, has examined as many as four (04) witnesses.

11. **The P.W. 1 is the victim lady of this case.** In her examination-in-chief, she deposed that she lodged a written complaint before Manbazar P.S against Lakshman Singh. Since 7/8 years, the accused told her that he would marry her but he did not marry. He got married with another woman. For that reason, she lodged complaint. The complaint was typed at Manbazar and she put her L.T.I thereon. She was taken to Deben Mahato Government Medical College and Hospital, Purulia for her examination. She was examined there by the doctor of the said hospital with her consent. She put her LTI on the consent form and the medical examination report. She made statement before the Ld. Magistrate and the Ld. Magistrate recorded her statement as per her version. After understanding that the same was recorded as per her version, she put her LTI on it. The 183 B.N.S.S statement had been marked as **Exhibit P1**. On 03.05.2025, she handed over her wearing apparels to the I.O who seized the same by preparing a seizure list in presence of witnesses and she also put her LTI thereon. **She, in her cross examination**, has disclosed that she could not say what was written in the document where she put my LTI. She knew the accused as her co-villager. She did not talk with anybody about the alleged incident.

12. **The P.W. 2 is the elder sister of the victim lady of this case.** In her examination-in-chief, she deposed that V.L lodged a written complaint before Manbazar P.S against Lakshman Singh. Her sister loved the accused. Accused told her sister that he would marry her but he did not marry. She heard about the aforesaid incident from her sister. The accused got married and after one month of his marriage, her sister got married.

13. **The P.W. 3 is the Medical Officer.** In his examination-in-chief, he deposed that on 04.05.2025, he was posted as Assistant Professor at Department of

Forensic Medicine and Toxicology of Deben Mahato Government Medical College and Hospital, Purulia. On that day, in connection with Manbazar P.S case no. 47/25 dated 03.05.2025 under Sections 69 BNS, he examined accused Lakshman Singh of the said case. The medical examination of the accused was done with his consent in presence of C/2659 Pratik Mondal, posted at Department of FMT. The accused was brought and identified to him by L.S.I of police Elora Rakshit of Manbazar P.S. The accused put her signature on a separate consent form prepared by him which had been marked as **Exbt. P2**. After examination of the accused, he prepared the medical examination report of the accused prepared by him vide Memo No. DMGMCH/FMT/MEDEX(M)/81 dated 04.05.2025 which had been marked as **Exhibit P3**. On 04.05.2025, in connection with Manbazar P.S. case no. 47/25 dated 03.05.2025 under Sections 69 BNS, he examined the V.L. The medical examination of the V.L was done with her consent in presence of Payel Mahato Staff, DMGMCH. The V.L was brought and identified to him by L.S.I of police Elora Rakshit of Manbazar P.S. The V.L put her L.T.I on a separate consent form prepared by him which had been marked as **Exbt. P4**. After examination of the V.L, he prepared the medical examination report of the V.L vide Memo No. DMGMCH/FMT/25/MEDEX(F)/83 dated 04.05.2025 which had been marked as **Exhibit P5**.

14. **The P.W. 4 is the Investigating Officer.** In her examination-in-chief, she deposed that on 03.05.2025, she was posted at Manbazar P.S as L.S.I. On that day, on the basis of a written complaint being lodged by the complainant/V.G, Manbazar P.S. case no. 47/25 dated 03.05.2025 under Section 69 BNS was initiated against Laxman Sing. The said complaint was received by her. Her receiving endorsement along with her signature on the written complaint had been marked as **Exbt. P6/1**. Thereafter, she herself, prepared the formal F.I.R and put her signature on it which had been marked as **Exhibit P7**. After being entrusted with the task of investigation, she perused the F.I.R, examined the V.G/complainant at P.S and recorded her statement u/s 180 BNSS. She visited the P.O and prepared rough sketch map and index of the P.O which had been marked as **Exhibit P8 series**. Thereafter, she examined the available witnesses and recorded their statements under Section 180 BNSS. On 03.05.2025, she held raid and arrested the accused and on the next day forwarded him before the Ld. CJM,

Purulia. On 03.05.2025, she seized the wearing apparels of V.G as produced by her by preparing a seizure list at P.S with her signature which had been marked as **Exbt. P9**. On 03.05.2025, she seized the wearing apparels of accused as produced by him by preparing a seizure list at P.S with her signature which had been marked as **Exbt. P10**. On 04.05.2025, she took the V.G to Deben Mahato Government Medical College and Hospital, Hatuara, Purulia and she was medically examined there with her consent by the doctor of the said hospital and on that very date, she collected the said report. She made prayer before Ld. C.J.M, Purulia for medico legal examination of the accused and her prayer was allowed. On 04.05.2025, accused was medically examined by the doctor of Deben Mahato Government Medical College and Hospital, Purulia and on that very date, she collected medical report of the accused. On 04.05.2025, she seized the vaginal swab and smear of the V.G as produced by LC/981 Bharati Murmu of Manbazar P.S by preparing a seizure list with her signature which had been marked as **Exbt. P11**. On 04.05.2025, she seized the urethral swab and smear of the accused as produced by C/824 Mahananda Routh of Manbazar P.S by preparing a seizure list with her signature which had been marked as **Exbt. P12**. On 05.05.2025, she made prayer before the Ld. C.J.M, Purulia for recording the statement of the V.G under Section 183 BNSS and her prayer was allowed and accordingly, on that very date, her statement was recorded under Section 183 BNSS and on 07.05.2025, she obtained the copy of the said statement recorded under Section 183 BNSS. On 22.05.2025, she sent the seized alamats to F.S.L for testing. Thereafter, on 30.06.2025 after taking permission from the superior officer, she submitted charge sheet being no. 60/25 dated 30.06.2025 in this case against the accused Laxman Singh under Section 69 BNS.

15. This is the sum and substance of evidence of the prosecution.

16. The prosecution's case as reflected from the typed complaint, in brief, is that last 7/8 years, there was love affairs in between the V.L and the accused. The accused promised her to marry and on such promise, he made physical relationship with her for about 7 years and lastly, one month ago, he forcefully cohabited with her in a jungle near her house. When she asked him to marry, he denied to marry her.

17. From the evidence of V.L. (**PW-1**), I find that since 7/8 years, the accused told her that he would marry her but he did not marry. He got married with another lady. For that reason, she lodged complaint. There is no evidence on record to show that she had love affairs with the accused and the accused cohabited with her on false promise to marry her. **PW-1** stated nothing as regards the allegation of forcible physical relationship on her. Considering the evidence of **PW-1**, it can be safely said that there is material discrepancies in her evidence. She has not supported the case of the prosecution.

18. On perusing the statement of the victim recorded u/s 183 BNSS (**Exhibit P1**), it transpires that since last 7/8 years, there was love affairs in between victim and the accused. But, **PW-1**, in support of the case of the prosecution, had not stated that the accused promised her to marry and on such promise, she made physical relationship with her since about 7 years and lastly, one month ago, he forcefully cohabited with her at jungle near her house. She also did not state the name of the accused before the Ld. Magistrate.

19. Considering the version of **PW-1** before the court, I am of the clear view that her evidence is utterly in contradiction with her version in the F.I.R and in her 183 BNSS statement. Her evidence cannot pass the test of “sterling witness”. Her evidence is not reliable and makes the prosecution case doubtful and disbelievable.

20. **PW-2**, being the elder sister of V.L, has deposed that her sister loved the accused. Accused told her sister that he would marry her but he did not marry. On perusing the evidence of **PW-2**, I find that she also did not state about the forcible rape committed by the accused on her sister. There is also no evidence to show that since last 7 years, the accused on promise to marry the victim cohabited with her. So, it would not be wrong to say that **PW-2** also has not corroborated the case of the prosecution.

21. **PW-3**, examined both the victim and the accused with their respective consent and after examination he prepared medical examination report of both the victim and the accused (**Exhibit P5 and P3**) respectively.

22. **PW-4** is the I.O of this case who stated all which she did during her investigation and her act of submission of charge sheet on 30.06.2025. Obviously, the I.O would have no personal knowledge about the alleged incident.

23. In the present case, there is no evidence to show that at the very inception of the making of promise, the accused did not really entertain the intention of marrying the victim and the promise to marry held out by him was a mere hoax.

24. Therefore, considering the entire evidence on record, I have no hesitation to hold that there is no cogent and trustworthy evidence to show that at the relevant time, the accused made physical relationship forcefully upon the victim on false promise to marry her. As such, I am to hold that the prosecution has miserably failed to prove its case against the accused beyond reasonable doubt and as such, the accused deserves an order of acquittal.

25. **Both the points of consideration are accordingly answered in negative and disposed of.**

Hence, it is,

O R D E R E D

that the sole accused person facing trial, viz., **Laxman Singh (A-1)** is **found and held not guilty** for the offences punishable under **Section 69 B.N.S** and he is hereby acquitted from this case under Section 258(1) of the B.N.S.S.

The accused person be discharged from his bail bond and the surety be discharged.

The seized alamats, if any, be destroyed after completion of period of appeal.

Dictated and Corrected by me.

Sd/-

Additional Sessions Judge,
Fast Track Court -I, Purulia.

Sd/-

Additional Sessions Judge,
Fast Track Court-I, Purulia.