

Form A

**IN THE COURT OF ADDITIONAL CHIEF JUDICIAL MAGISTRATE
RAGHUNATHPUR, DISTRICT - PURULIA**

Present : Sarmistha Ganguly
Additional Chief Judicial Magistrate,
Raghunathpur, Purulia
J.O. Code- WB01062

Date of the Judgment: 21st day of April, 2026

**Case No. GR 470/2024 (Registration No. 27/2025)
(CNR No.- WBPU060000392025)**



(Arising from Adra P.S Case No. 63/2024 dated 29.07.2024 u/s.
85/109/3(5) of BNS)

Complainant	State of West Bengal
Represented by	Name of the Advocate : Assistant Public Prosecutor
Accused	1. Karthik Kumar Giri 2. Ganesh Giri 3. Chhathilal Giri 4. Mahima Devi 5. Priyanka Devi
Represented by	Name of the Advocate : Shri Tapan Kr. Majee

FORM B

Date of Offence	28.07.2024
Date of F.I.R.	29.07.2024
Date of Police report	31.08.2024
Date of framing Charge against the accused	02.02.2026
Date of commencement of Evidence	25.02.2026
Date of examination of the accused u/s. 313 of the Cr.P.C.	21.04.2026
Date on which Judgment is reserved	21.04.2026
Date of Judgment	21.04.2026
Date of the Sentencing Order, if any	

Accused details:

Rank of the Accused	Name of Accused	Date of arrest/surrender	Date of release on Bail	Offences charged with	Whether acquitted or convicted	Period of Detention Undergone during Trial for purpose of Section 428 Cr.P.C.
1.	Karthik Kumar Giri	30.07.2024	02.08.2024	u.s 85 BNS	Acquitted	
2.	Ganesh Giri	30.07.2024	02.08.2024	u.s 85 BNS	Acquitted	
3.	Chhathilal Giri	05.08.2024	05.08.2024	u.s 85 BNS	Acquitted	
4.	Mahima Devi	05.08.2024	05.08.2024	u.s 85 BNS	Acquitted	
5.	Priyanka Devi	05.08.2024	05.08.2024	u.s 85 BNS	Acquitted	

Form C

LIST OF PROSECUTION /DEFENCE /COURT WITNESSES

A. Prosecution:

RANK	NAME	NATURE OF EVIDENCE (EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS, OTHER WITNESS)
P.W 1	Sandhya Kumari Giri	De facto complainant-cum-victim in the present case
P.W. 2	Champa Giri	Mother of the defacto complainant

B. Defence Witnesses, if any :

RANK	NAME	NATURE OF EVIDENCE (EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS, OTHER WITNESS)
DW 1		
DW 2		

C. Court Witnesses, if any :

RANK	NAME	NATURE OF EVIDENCE (EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS, OTHER WITNESS)
CW 1		
CW 2		

LIST OF PROSECUTION / DEFENCE / COURT EXHIBITS

A. Prosecution :

Sr. No.	Exhibit Number	Description
1.	Exhibit P-1/ P.W-1	Written complaint lodged by the de facto complainant

B. Defence:

Sr. No.	Exhibit Number	Description
1.	Exhibit D-1 / D.W.1	
2	Exhibit D -2 / D.W.2	

C. Court Exhibits :

Sr. No.	Exhibit Number	Description
1	Exhibit C-1 / C.W.1	
2	Exhibit C-2 /C.W.2	

D. Material Objects:

Sr. No.	Material Number	Object	Description
1	Mat Exhibit -1		
2	MO 2		

J U D G M E N T

Facts of the Prosecution Case :

The prosecution case has its genesis in a written complaint lodged by the defacto complainant Sandhya Kumari Giri before the I/C, Adra P.S on 29.07.2024 to the effect that he had been married with the accused Kartick Giri and had been residing at her matrimonial residence at Palashkola under P.S. Adra and that on 28.07.2024 at about 01:00 P.M. in the afternoon when the complainant had asked her husband to purchase baby's food for her minor child, there had been heated exchanges between her and her husband and that the other accused persons had started abuse her in filthy languages and also assaulted her severely. The complainant had further alleged that her elder brother-in-law also tried to strangulate her and her mother-in-law held her by her hair and dragged her into the room where the other accused persons had kicked her on her chest, face, lower abdomen and back. It has further been alleged by the complainant that one of the accused Priyanka Debi also took a knife and made a cut on the forehead of the complainant for which she sustained bleeding injury and also forced her to bring money from her parents. The complainant has also alleged that she had been physically tortured by the accused persons even on earlier occasions but she had remained silent so that the matter would be settled with her husband and in-laws in an amicable manner. It has further been stated by the complainant that she was saved from the accused persons by the people of the locality who took her to the police station where she had lodged complaint against the accused persons and also went to the hospital for her medical treatment. Hence, the present written complaint has been filed by the complainant in respect of the aforesaid alleged acts committed by the accused persons along with a prayer for punishing them as per the existing provisions of law.

On receiving the complaint over the incident, the Inspector- in Charge of **Adra** police station started **Adra P.S Case No. 63/2024 dated 29.07.2024** under sections 85/118(2)/109/3(5) BNS against all the five accused persons above named which culminated into the submission of charge-sheet against the said accused persons for the offences punishable under sections 85/115(2)/3(5) BNS.

Thereafter, charge has been framed against all the five accused persons for the offences punishable u/s. 85 of BNS. The contents of the charges u/s. 85 of BNS have been read over and explained to all the five accused persons in their local language, to which each of the accused persons have individually pleaded not guilty and claimed to be tried and hence, this trial.

After closing the evidence of the prosecution, all the five accused persons have been examined u/s. 351 of BNSS wherein the accused persons have individually declined to adduce any defence witness. The defence plea, as appearing from the trends of cross examination of the prosecution witnesses and examination of the accused persons under section 351 of BNSS and the submission of the Ld. Defence Counsel, is bearing the innocence of all the accused persons above named.

Points for Consideration

(1) Did the accused persons commit the offence punishable under section **85 of BNS** ?

Decision with Reasons

The prosecution has produced only two witnesses to establish the charges leveled against the accused persons. The defacto complainant in the present case, namely **Sandhya Kumari Giri (P.W.- 1)** has stated in her deposition that she had lodged the complaint in

the present case against her husband and other in-laws on account of certain misunderstanding against them but at present the said matrimonial disputes have been amicably settled and she is having no further allegations against them. The complainant further stated that the written complaint has been typed by herself and the same also bears her signature (written complaint lodged by the complainant marked as Exhibit 1 as a whole).

In her cross-examination, the complainant had categorically stated that she is at present residing at her matrimonial residence for the last one year and is having no objection if the accused persons are acquitted of the case.

The mother of the complainant namely Champa Giri has been examined as PW2 on behalf of the prosecution who also stated in her deposition that her daughter had lodged the complaint in this case on account of certain misunderstandings but at present the said disputes have been amicably settled with them and that she is also having no further allegations against the accused persons. PW 2 further stated that her daughter at present residing at her matrimonial residence and leading peaceful marital life with her husband and other in-laws.

During her cross-examination, the mother of the complainant also stated clearly that she is having no objection if the accused persons are acquitted in the present case.

No other witness has been examined on behalf of the prosecution on the verbal prayer of the Ld. APP as the matter has been amicably settled between the parties.

On careful perusal of the evidence on record, it reveals to this Court that the complainant had lodged the complaint in the present case on account of certain misunderstandings with the accused persons but at present, she is residing peacefully with the accused

persons being her husband and other in-laws at her marital residence and is also having no further allegations against them. Even the mother of the complainant who deposed as PW2 corroborated the evidence of her daughter and stated that the matrimonial disputes between her daughter and the accused persons have now being amicably settled and that she is also having no further allegations against the accused persons as her daughter is now leading peaceful matrimonial life with them.

Considering the four corners of foregoing discussions, this court has no hesitation to hold that the prosecution has hopelessly failed to establish the charges and accusations leveled against the accused persons for the offences punishable under sections **85 BNS** and accordingly, all the five accused persons above named are liable to be acquitted from the present case as well as from all the charges and accusations leveled against them under section 271(1) of BNSS.

Hence, it is,

ORDERED

that all the five accused persons namely, Karthik Kumar Giri, Ganesh Giri , Chhathilal Giri, Mahima Devi and Priyanka Devi are found not guilty of the offences punishable under section 85 BNS and accordingly, all the five accused persons above named are hereby acquitted from the present police case as well as from all the charges and accusations leveled against them, in terms of the provision enumerated under section 271(1) of BNSS.

All the five accused persons above named are hereby set at liberty and stand discharged from their respective bail bonds.

D/C.

Sd/-

A.C.J.M., Raghunathpur

Sd/-

(Sarmistha Ganguly)

Additional Chief Judicial Magistrate,
Raghunathpur, District - Purulia