



1 GR Case No 829/2020 (CIS Regd No. 365/2021)

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CNR WBPU06000512-2021

Present: Smt. Sanjukta Bhattacharya

Judicial Magistrate 2nd Court, Raghunathpur, Purulia

J.O Code: WB-01346

Order Dated 10-08-2026

Today is fixed for delivery of judgment.

Sole accused on CB is present by filing hazira.

Now, the record is taken up for delivery of judgment.

Judgment is ready in separate sheet of paper **Thirteen (13) pages** and is pronounced in the open court and kept with the record.

The operative part of the judgment reads as follows:

“Hence, it is,

ORDERED

That the accused person namely **(A-1) Chandi Prasad Chakraborty** is found **“not guilty”** for the commission of offence punishable u/s 498A of the Indian Penal Code and sections 3 and 4 of Dowry Prohibition Act, 1861 , but he is found **“guilty”** for the commission of offence under section 323 of Indian Penal Code and accordingly he is convicted in this case under Section 255(2) of the Code of Criminal Procedure.

He is taken into judicial custody and bail-bonds stands cancelled herewith..

That the the matter will be taken up for hearing on point of sentence at 12.30PM.

Dictated and Corrected by me.

Sd/-

**Judicial Magistrate, 2nd Court,
Raghunathpur, Purulia**

Dictated and Corrected by me.

Sd/-

**Judicial Magistrate, 2nd Court,
Raghunathpur, Purulia**

Later,

Having heard the convict and on perusal of the case record I find that the convict sufficiently mature at the time of commission of the offence but without sparing a thought of its consequences they committed the offence. So, it goes to show that they have no regard for the law of the land. Having considered all the aspects, I am of the view , convict being the husband of the victim allowed to go unpunished, the people may lose faith in the rule of law. Moreover, the state of criminal law continues to be and should be a decisive reflection of social consciousness and inadequate sentence can do harm to



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the system. There is no record of previous conviction against the convict. This is the first offence committed by him in his life. Now this Court is confronted with the question of imposition of sentence. The convict said he is innocent and cited his financial background . However , it cannot be overlooked being the husband of the de facto complainant in case ,if he wanted, could very well have protected the interests of his wife. In India a husband is just like a God to his wife. Considering and even more, the financial background no order regarding any term of substantive imprisonment is passed against the convict Thus, I am of the view that a pecuniary compensation is to be awarded in the case punishable u/s-323 of Indian Penal Code. I do not find any reason to invoke the provision of section 360 of Code of Criminal Procedure or Probation of offenders Act.

Taking into account entire aspects, I find it just, fit and proper to award the sentence till rising of the Court to the convict, **(A-1) Chandi Prasad Chakraborty** as well further impose fine of Rs. 400/-(Rupees four hundred only) in default to suffer simple imprisonment for five days for offence punishable under Section-323 of Indian Penal Code .

The period of detention, if any, already undergone during the stage of inquiry, investigation or trial by the convicts be set off against the sentence passed.

Seized alams, if any, be disposed of after the statutory period of appeal.

Free copy of this judgment be handed over to the convicts forthwith.

Thus, the case is disposed off.

Note in TR as well in the relevant register.

Let a copy of judgment be uploaded in CIS at once.

Dictated and Corrected by me.

Sd/-

**Judicial Magistrate, 2nd Court,
Raghunathpur, Purulia**

Dictated and Corrected by me.

Sd/-

**Judicial Magistrate, 2nd Court,
Raghunathpur, Purulia**