

FORM - A

<p>IN THE COURT OF ADDITIONAL CHIEF JUDICIAL MAGISTRATE 2ND COURT, RAGHUNATHPUR, DISTRICT - PURULIA</p> <p>Present : <i>Debayan Ganguly</i></p> <p>Additional Chief Judicial Magistrate 2nd Court Raghunathpur, Purulia J.O. Code: WB01313</p> <p>Date of the Judgment: 07th day of March, 2026</p> <p>Case No. GR: 259/22 TR: 285/23</p> <p>(CIS Registration No. 818/2023) (CNR No.- WBPU06-001181-2023)</p> <p>(Arising from Para P.S Case No. 57/22 dated 26/04/2022)</p>	
Complainant	State of West Bengal
Presented by	Name of Advocate: Rabi Sharma
Accused	1. Dinesh Majhi 2. Maku Majhi 3. Thakurmoni Majhi
Represented by	Name of Advocate: Lalit Majee

FORM - B

Date of Offence	Since after marriage lastly on 25.01.2021
Date of F.I.R.	26.04.2022
Date of Police report	31.05.2022
Date of framing Charge/Plea against the accused	06.02.2025
Date of commencement of Evidence	06.05.2025
Date of examination of the accused u/s. 313 of the Cr.P.C.	07.03.2026
Date on which Judgment is reserved	N/A
Date of Judgment	07.03.2026
Date of the Sentencing Order, if any	N/A

Accused details:

Rank of Accused	Name of the Accused	Date of arrest/ surrender	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
A1.	Dinesh Majhi	18.05.22	18.05.22	U/s- 498A/494 IPC	Acquitted	N/A	N/A
A2.	Maku Majhi	18.05.22	18.05.22	U/s- 498A/34 IPC	Acquitted	N/A	N/A
A3.	Thakurmoni Majhi	06.10.23	06.10.23	U/s- 498A/34 IPC	Acquitted	N/A	N/A

FORM - C**A. Prosecution:****LIST OF PROSECUTION /DEFENCE /COURT WITNESSES**

RANK	NAME	NATURE OF EVIDENCE (EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS, OTHER WITNESS)
W1.	Ramsurja Hansda	
W2.	Srimati Hansda	
W3.	Paresh Bauri	

B. Defence Witnesses, if any :

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

C. Court Witnesses, if any :

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

LIST OF PROSECUTION /DEFENCE /COURT EXHIBITS**A. Prosecution:**

SR. NO.	EXHIBIT NUMBER	DESCRIPTION
1	P-1	Written complaint
2	P-1/1	Signature of P.W.3 in the written complaint

B. Defence:

SR. NO.	EXHIBIT NUMBER	DESCRIPTION

C. Court Exhibits :

SR. NO.	EXHIBIT NUMBER	DESCRIPTION

D. Material Objects:

SR. NO.	EXHIBIT NUMBER	DESCRIPTION

JUDGMENT

This is a case u/s U/s- 498A/494/34 of IPC. The prosecution case in short is that on 30/04/2004 the complainant got married with accused Dinesh Majhi as per Hindu Rites and Customs. After few days of marriage the accused persons started torturing her physically and mentally. On 25/01/21 the complainant was driven out of her matrimonial house. Since then the complainant is staying at her paternal house with her minor daughter. On 25/03/22 she came to know that her husband got married for the second time.

On the basis of such complaint, Para P.S. chalked out formal FIR being no. 57/22 dt. 26/04/2022 u/s 498A/494/34 of IPC against the accused persons.

Thereafter, the case was investigated by the ASI of police Rabindra Nath Mandal of Para P.S. who after completion of the investigation, submitted charge sheet being no.68/22 dt. 31/05/22 u/s 498A/494/34 of IPC against the accused persons.

Thereafter, on 06/02/2025 charge was framed u/s 498A/494/34 of IPC against the accused persons to which they pleaded not guilty and claimed to be tried.

During the pendency of the instant case one accused person namely Monahar Majhi expired and the case was filed forever as against him.

Thereafter, the prosecution started to examine c/s witnesses and the prosecution had examined the following witnesses:-

P.W. 1 - Ramsurja Hansda.

P.W. 2 - Srimati Hansda.

P.W. 3 - Paresh Bauri.

After closure of the prosecution evidence, the accused persons were examined u/s 313 Cr.PC. As no defence witness was adduced, argument was heard for both parties.

POINTS FOR DETERMINATION

- a) Whether the prosecution has been able to prove the offence u/s 498A/494/34 of IPC against the accused persons beyond the shadow of all reasonable doubts?

DECISION WITH REASONS

Having heard both sides and after perusal of the materials on record now let me scan the evidence from the case record.

P.W.1 Ramsurja Hansda deposed that his daughter Basanti Majhi lodged complaint in Para P.S against the accused persons. But he failed to state anything regarding the incident.

P.W.2 Srimati Hansda deposed that her daughter Basanti Majhi lodged complaint in Para P.S against the accused persons. But she also failed to state anything regarding the incident.

P.W.3 Paresh Bauri deposed that he wrote the written complaint as per the instructions of Basanti Majhi. The written complaint was marked as Exhibit-P-1 and his signature in the same was marked as Exhibit-P-1/1. He further deposed that the complainant put her signature in the complaint after it was read over and explained to her.

During his cross examination he admitted that he has no personal knowledge regarding the incident.

From the evidence on record it appears that P.W.1, P.W.2 and P.W.3 did not support the prosecution case at all. Both P.W.1 and P.W.2 deposed that they have no idea regarding the incident. P.W.3 also admitted that he has no personal knowledge regarding the incident. The

de facto complainant herself was expunged from the C/S as the prosecution failed to bring her in spite of several opportunities. Therefore, there is no evidence against the accused persons that they tortured the complainant. There is also no evidence the accused Dinesh Bauri got married for the second time during the existence of his first marriage.

Under the position of evidence I do not find the accused persons guilty of the charge brought against them. In other words, the prosecution has miserably failed to prove the offence u/s 498A/494/34 of IPC against the accused persons beyond the shadow of all reasonable doubts.

Hence it is

ORDERED

that the accused persons namely Dinesh Majhi, Maku Majhi and Thakurmoni Majhi are not found guilty of the offence u/s 498A/494/34 of IPC and they are acquitted in terms of section 248(1) of Cr.PC and are also discharged from the bail bonds as furnished by them.

The instant case stands disposed off.

Seized alat, if any, be disposed off in accordance with law after expiry of the appeal period.

Note in the TR and upload the judgment in the CIS.

Dictated and corrected
by me:

Sd/-
Additional Chief Judicial Magistrate,
2nd Court,
Raghunathpur, Purulia.

Sd/-
Additional Chief Judicial Magistrate,
2nd Court,
Raghunathpur, Purulia.