

Sessions case No. 26 of 2020
Session trial No. 10 of 2020

FRESH CHARGE WITH TWO HEADS

[No. XXVIII (II), Schedule V. Act V. 1898]

(Sections 221,222,223, Code of Criminal Procedure)

I, Shri Uday Kumar,

Sessions Judge, Uttar Dinajpur, at Raiganj.

hereby charge you

Name of accused :- 1. Samir Murmu
 2. Jaba Hasda

Firstly- That you being husband and mother on 20.09.2019 at village-Rampur, Pajimore, P.S-Raiganj, District-Uttar Dinajpur subjected mental and physical torture and cruelty upon Purnima Soren at her matrimonial home for demand of more money in dowry and caused grave injury or danger to her life, limb or health to her in furtherance of common intention of you all and you thereby committed offence punishable under section 498A of the IPC r/w section 34 of IPC within the cognizance of this Sessions Court.

Secondly- That all of you on 20.09.2019 at village-Rampur, Pajimore, P.S-Raiganj, District-Uttar Dinajpur, killed Purnima Soren at her matrimonial home, within the period of 4 years of her marriage for demand of more money in dowry, in furtherance of common intention of you all and you all thereby committed offence punishable under section 304B of the I.P.C read with section 34 of IPC within the cognizance of this Sessions Court.

And I hereby direct that you be tried by the Court on the aforesaid charges.

The charges so framed are read over and explained to the accused persons in Bengali to which they plead not guilty and claim to be tried.

Dictated & Corrected by me

Sessions Judge,
Uttar Dinajpur at Raiganj

Sessions Judge,
Uttar Dinajpur at Raiganj.

Dated:10.02.2020

Sessions case No. 26 of 2020

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Present : Shri Uday Kumar, Sessions Judge, Uttar Dinajpur at Raiganj

Order No. 01 dated: 10.02.2020

Accused Samir Murmu and Jaba Hasda are produced from J/C.

Today is fixed for consideration of charge and production accused Samir Murmu and Jaba Hasda

Ld. Panel P.P is present.

Heard the learned Panel Public Prosecutor and the learned Advocate for the accused persons.

Learned Public Prosecutor submits that a strong prima facie case u/s. 498A/304B/34 of the Indian Penal Code (“I.P.C for short”) has been made out against the accused persons. Learned Panel Public Prosecutor further submits that materials collected during investigation of the case clearly suggest that accused persons committed the offence punishable u/s. 498A/304B/34 of the IPC. He further describes the charge and the evidence by which he proposes to prove the guilt of the accused persons.

Learned Advocate for the accused persons leaves the matter to the discretion of the court.

I have perused the FIR, Charge sheet, Seizure list, Statement of witnesses recorded U/s. 161 CrPC. and all other available materials.

Having considered the submission made by the learned Public Prosecutor and the learned defence Advocate and having gone through the documents and papers as indicated above, I am of the opinion that there is ground for presuming that the accused persons committed offences alleged which are exclusively triable by a Court of Sessions as there are sufficient material for framing charge u/s 498A/304B/34 of the IPC against both the accused persons.

Hence, Charge 498A/304B/34 of the IPC are framed against both the accused persons.

The charges so framed are read over and explained to the accused persons to which they plead not guilty to the Charge and claims to be tried.

Fix 29.02.2020 for examination of CSw. No. 1, 2 & 3.

Fix 02.03.2020 for examination of CSw. Nos. 4, 5 and 6.

Fix 03.03.2020 for examination of CSw. Nos. 7, 8 and 9

(Contd.....)

The I.O of this case is directed to remain present on the dates fixed for trial along with witnesses.

The prosecution is directed to take steps for effecting attendance of the witnesses as per schedule.

Accused Samir Murmu and Jaba Hasda be produced on the dates fixed for evidence as above.

Let a copy of this order be sent to the O.C Raiganj P.S for communicating the same to the investigating officer.

Let a copy of this order be sent to Superintendent of Raiganj Correctional Home, Uttar Dinajpur for information and necessary action.

Dictated & Corrected by me,

Sessions Judge,
Uttar Dinajpur at Raiganj

Sessions Judge,
Uttar Dinajpur at Raiganj