

IN THE COURT OF THE SUB-DIVISIONAL JUDICIAL MAGISTRATE,
BHUBANESWAR

PRESENT:

*Sri D.R. Sahoo, L.L.M.,
S.D.J.M., Bhubaneswar.*

C.T. Case No. 5020/2013

Trial No- 438/2014

Date of argument: 12.08.2014

Date of Judgment: 18.08.2014

STATE Prosecution

Versus

Pabitra Mohan Sahoo aged about 44 years,
S/o. Paramananda Sahoo, At- Nuapatana,
PS. Baliana, Dist- Khurda, At/Pr- EAI, stage-V,
BDA Colony, Jharapada, P.S. Laxmisagar,
Bhubaneswar, Dist- Khurda

.....Accused.

Offence under Sections 498(A)/ 325/506 of I.P.C

Counsel for the Prosecution: APP, Bhubaneswar.

Counsel for the defence: Sri S.B. Sarangi and Associates

J U D G M E N T

The above named accused stands charged for committing the offences punishable U/s 498-(A)/325/506 of I.P.C

2. The case of prosecution in brief, is as follows:-

The informant is the legally married wife of the accused. After marriage, the accused subjected her to mental and physical harassment and threatened her with dire consequences. On 20.12.13 evening at 6 P.M. her husband assaulted her, as a result she sustained fracture injury on her leg. Being aggrieved the informant informed the

police and after due investigation, Police submitted charge sheet U/s. 498(A)/325/506 of IPC and subsequently charge was framed against the accused to which he plead not guilty and claimed for trial. Hence this trial.

3. The plea of the defence is one of complete denial and false implication.

4. The points for determination in this case are as follows:-

i) *Whether after marriage the accused inflicted cruelty on the informant and thereby committed offence punishable U/s. 498-(A) of IPC?*

ii) *Whether after marriage the accused voluntarily caused grievous hurt to the informant without any provocation and thereby committed offence punishable U/s. 325 of IPC?*

iv) *Whether after marriage the accused threatened the informant intend to cause alarm in her mind and thereby committed offence punishable U/s. 506 of IPC?*

5. The informant (P.W.1) has deposed before the Court that the case has been amicably settled. She has further deposed that in view of her peaceful family life, she does not want to proceed with this case.. There is absolutely no evidence on record to hold the accused guilty in this case.

6. Taking consideration of the said facts and circumstances as there is no evidence on record against the accused, he is found not guilty U/s.498 (A)/325/506 of IPC and he is acquitted there from as per the provision U/s.248 (1) Cr. P.C. He be set at liberty forthwith. His bail bond stands cancelled

Enter the case as a mistake of fact .

S.D.J.M., Bhubaneswar.

Typed to my dictation, corrected by me and pronounced the judgment in the open Court today given under my hand and seal this the 18th day of August, 2014.

S.D.J.M., Bhubaneswar.

List of witnesses examined on behalf of the prosecution:

P.W.1: Mina Kumari Sahoo.

P.W.2: Dhanajaya Sahoo.

P.W.3: Babaji Sahoo.

List of witnesses examined on behalf of the defence:

None

List of Exts. marked on behalf of the prosecution:

None

List of Exts. marked on behalf of the defence:

N IL

S.D.J.M., Bhubaneswar.