

IN THE COURT OF THE ADDITIONAL JUDICIAL  
MAGISTRATE, BONGAIGAON



GR.No: 804/11

STATE

Vs

Sri Anowar Hussain

....Accused

Charged u/s: 498-A/506 I.P.C.

Present: Mrs M.De

Addl.C.J.M.Bongaigaon

Counsel for prosecution : Sri S.K.Nath

.....A.P.P

Counsel for defence : Sri Mohd.Ali

.....Advocate

Date of recording evidence: 10.4.13,15.5.13,1.6.13,11.9.13

Date of argument : 02.01.14.

Date of judgment : 16.1.14

JUDGMENT

- 1) The case of the prosecution as unfolded in the case be briefly mentioned as below:
- 2) The complainant lodged a FIR on the 2.12.11 stating that she was married to the accused on 17.6.08 and after three months of their marriage, the accused demanded Rs 50,000 and a motor cycle from her were subjecting her to physical and mental harassment since long and sent her away to her parents house on 15.3.2010 and thereafter on 17.4.2010 the accused went to his

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father-in-law's house and reiterated his demand to his wife that is the complainant and when she expressed her inability then he assaulted her there and asked her not to go to his house without the said demanded things and thereafter she filed a maintenance case against him. Thereafter on 13.11.2011 while the complainant was going to her brother-in-law's house then the accused accosted her on the road and threatened her with dire consequences if she did not withdraw the maintenance case. Based on this First Information Report, police registered a case, against the present accused persons.

- 3) On completion of investigation, police laid charge-sheet against the accused persons.
- 4) During trial, charge u/s 498A/506 IPC were framed against the accused persons and same was read over and explained to the accused persons . As the accused pleaded not guilty to the charges so framed against them, the trial proceeded.
- 5) In support of their case, the prosecution examined as many as 6 witnesses including the I/O. The accused was, then, examined under Section 313 Cr. P. C. In his examination aforementioned, the accused denied that they had committed the offence alleged to have been committed by him and examined two defence witnesses on his part.
- 6) Argument of both sides heard.
- 7) **POINTS FOR DETERMINATION :**

i) Whether the accused being the husband of the complainant had committed cruelty against her as alleged u/s 498A I.P.C.?

ii) Whether the accused criminally intimidated the complainant when she was going to her brother-in-law's house as alleged u/s 506 IPC?



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