# Legal Case Summary: Amalendu Pal @ Jhantu vs State Of West Bengal

## Citation:

AIR 2010 SC 512, 2010 (1) SCC 707

## Date of Judgment:

11 November 2009

## Bench / Judges:

Justice R.M. Lodha, Justice Mukundakam Sharma

## Author of the Judgment:

Justice Mukundakam Sharma

## Parties Involved:

Appellant: Amalendu Pal @ Jhantu  
Respondent: State of West Bengal

## Background / Facts of the Case:

The appellant was convicted under Sections 498A and 306 IPC by the trial court and sentenced to 3 years and 8 years imprisonment respectively. The conviction was based on charges of cruelty and abetment of suicide of his wife Dipika. The appellant was alleged to have physically and mentally tortured the deceased after she refused his request to marry another woman, Anita. On 27 September 1991, Dipika was found hanging in her house. A case was registered under Sections 498A and 306 IPC.

## Legal Issues Raised:

1. Whether there was sufficient evidence to convict the appellant under Section 306 IPC for abetment of suicide.  
2. Whether the conviction under Section 498A IPC (cruelty) was justified.

## Judgment / Decision:

The Supreme Court set aside the conviction under Section 306 IPC, holding that there was insufficient direct evidence of incitement, instigation, or active role by the appellant in the suicide. However, the Court upheld the conviction under Section 498A IPC due to proven mental and physical cruelty inflicted on the deceased.

## Final Order:

The appeal was partly allowed. Conviction under Section 306 IPC was set aside. Conviction under Section 498A IPC was upheld. The appellant was directed to surrender to serve the remaining sentence.

## Case Timeline:

• 1977: Marriage of appellant and deceased  
• 1991: Death of deceased  
• 1997: Trial Court conviction  
• 2008: High Court upheld conviction  
• 11 November 2009: Supreme Court judgment

## Relevant Articles / Legal Principles:

1. Section 498A IPC – Cruelty  
2. Section 306 IPC – Abetment of Suicide  
3. Section 107 IPC – Definition of Abetment  
4. Doctrine – Requirement of Proximate and Direct Evidence in Abetment cases