IN THE COURT OF THE SPECIAL JUDGE, SIVASAGAR

Present – Biprajit Roy, AJS.

Special Judge,

Sivasagar.

Spl. (P) Case No. 53/2016

U/s 6 of POCSO Act & sec. 376(2) of IPC

State

-Vs-

Laba Kanta Bora

Advocates appeared:

For the State : - Mr. S. Gogoi,

For the accused : - Smt. M. Baruah,

Date of evidence: - 21.08.18, 28.09.18, 28.01.19, 12.03.19, 26.04.19, 30.05.19

Date of argument: - 26.08.19, 30.09.19

Date of judgment: - 10.10.2019

JUDGMENT

- 1. The case of the prosecution is that the informant X (name withheld) who is also the victim of the case lodged an FIR in the Joysagar out-post on 10.11.2016 stating that the accused Sri Laba Kanta Bora forcefully established physical relation with her in his house. The accused also threatened her with dire consequences and warned her not to disclose the incident to any person. The informant stated that at the time of filing of the FIR she was pregnant. The said FIR was forwarded to the O.C. of Sivasagar police station who received the same and registered Sivasagar P S case no. 1006/2016 u/s 4 of POCSO Act.
- 2. The investigation of the case was conducted by SI Utpal Bora and on completion of investigation charge-sheet was submitted u/s 4 of POCSO Act.
- 3. Vide order dated 14.06.2018 copy of relevant documents were furnished to the accused. After hearing ld. counsel of both sides charge u/s 6 of POCSO Act and section

376(2) of IPC were framed against the accused which were read over and explained to the accused to which he pleaded not guilty.

- 4. In the course of trial prosecution side examined all the 6 (six) witnesses. The defence plea is of denial.
- 5. The accused person was examined u/s 313 Cr.P.C.
- 6. Heard argument of learned counsel of both sides.
- 7. The points for determination in this case are:
 - (i) Whether at the time of the occurrence the victim girl was below 18 years?
 - (ii) Whether the accused committed penetrative sexual assault on the victim repeatedly?
 - (iii) Whether the victim is guilty of any offence as alleged in the FIR?

Decision, Discussion and reasons:

8. The P.W.1 is mother of the victim girl. She stated that at the time of the incident her daughter was aged about 15 years and she was a student of class VIII. She stated that on seeing signs of pregnancy on her unmarried daughter she asked victim and the victim girl told her that the accused Laba Kanta Bora made her pregnant. At that time the victim was about 8 (eight) months pregnant. The PW-1 stated that her daughter told her that she went to the house of the accused on being called by his daughter-in-law. The accused made physical relation with her 2/3 times. The accused threatened her to kill and also asked her not to divulge the incident to anyone. Out of fear she did not disclose the matter to anyone. After coming to know about the incident on being told by her daughter, the PW-1 enquired about the matter with the accused and the accused offered her Rs. 1500.00 (one thousand five hundred) for causing abortion but due to advance stage of the pregnancy, she refused the said offer. Thereafter her daughter lodged the FIR. After about one month of filing of the FIR, her daughter gave birth to one female child and the said child was later on handed over to Child Welfare Committee.

In cross-examination PW-1 admitted that she has not produced the school certificate to prove the age of her daughter. The PW-1 denied that at the time of the

incident her daughter was above 18 years. The house of the accused is situated near her house. She stated that the accused lives in his house with his wife, son, daughter-in-law and grand-children. The PW-1 admitted that her daughter/victim girl did not disclose any specific date of incident. The PW-1 denied that her daughter was having love affair with another boy. She admitted that after 6(six) months of the child birth, her daughter eloped with a boy. The PW-1 stated that the accused is a habitual drunk. The PW-1 denied the suggestion that due to old age, the accused is physically unfit to establish physical relation with any woman.

9. The P.W.2 is the victim of the case. She stated that on the first occasion the accused had physical relation with her at around 9.00 a.m. while she went to the house of the accused to wash clothes. At that time the accused asked her to make a cup of tea and while she was preparing tea, the accused grabbed her from behind, gagged her mouth and raped her. The PW-2 stated that she tried to prevent the accused but the accused threatened her with dire consequences and also asked her not to disclose the matter to anyone. The PW-2 further stated that after 5/6 days of the first incident she was called by the daughter-in-law of the accused (namely Chumki Borah) and the accused again raped her and threatened her not to disclose the matter to anyone. Again after 12/13 days of the 2nd incident she was called by the daughter-in-law of the accused and the accused committed rape with her again. The PW-2 stated that when her mother came to know about the pregnancy, she enquired about the matter with the accused and the accused offered Rs. 2000.00 (two thousand) for causing abortion. The PW- 2 stated that after one month of filing of the FIR, delivered a female child and the said child was later on handed over to an "Aashram" after one week. The PW-2 in her evidence further stated that her statement was recorded in the Court during investigation which is marked as Ext. 2 wherein she stated that the accused committed rape on her repeatedly and also threatened her not to disclose the matter to anyone.

In cross-examination PW-2 stated that she does not know whether any document relating to her age was given to the police or not. She admitted that prior to this case her uncle had lodged a case against her on allegation of setting fire in his house and she faced trial in the JJB. The PW-2 admitted that no village meeting was held in connection with the incident. She also stated that the accused used to consume alcohol. The PW-2 denied the suggestion that she was not raped by the accused.

From perusal of the cross-examination of PW-2 it appears that some suggestions were put by the ld. defence counsel in connection with her statement made before the

Magistrate u/s 164 of Cr.P.C. The PW-2 denied all those suggestions. I have perused the Ext.2 which is the statement of the victim girl recorded u/s 164 of Cr.P.C. From perusal of the said statement marked as Ext. 2 it is crystal clear that the victim clearly stated that the accused committed rape on her repeatedly. The victim girl also stated that when her mother enquired about the matter with the accused, he offered money for causing termination of the pregnancy.

10. The P.W.3 is the father of the victim girl. He stated that he came to know about the incident when his daughter lodged the FIR. Thereafter his daughter gave birth to a female child. He stated that he came to know from his wife that the accused was the father of the said child. Later on the said child was handed over to an Orphanage.

In cross-examination the PW-3 stated that he believes that the accused is not the father of the child. He also stated that he never saw the accused involved in any anti-social activities. The PW-3 stated that at the time of the incident his daughter was aged above 18 years.

11. The PW-4 is the brother of the victim girl. He stated that he came to know from his mother about the incident. Then he came to know from his mother that when the victim went to the tube well in the accused's house for washing clothes, the accused established physical relation with her forcefully. His mother also told him that the accused established physical relation with his sister on 4 (four) occasions. After about 8 (eight) months of the incident his mother came to know about pregnancy of his sister and then on enquiry his sister told that the accused had established physical relation with her on different dates on 4(four) occasions. Then his sister lodged the FIR. After few days of filing of the FIR his sister gave birth to a girl child. Later on the child was taken by NGO.

In cross-examination the PW-4 stated that his sister has not submitted any birth certificate. The accused is a married man and lives with his family. He also stated that his sister had concealed the entire incident. He also stated that his sister eloped after 6(six) months of the child birth.

12. The PW- 5 Dr. Nirmalya Choudhury is the medical officer who examined the victim on 11.11.2016 in connection with Sivasagar P. S. case no. 1006/2010 u/s 4 of POCSO Act. On examination he found that the age of the victim girl was below 18 years

with no sign of recent sexual intercourse. On USG finding dated 12.11.2016 she was carrying 34 weeks of gestation with live fetus. There was no sign of any injury. The PW-5 also stated that as per the Radiological examination report skiagrams of left wrist joint revealed incomplete fusion of epiphysis and skiagrams of left elbow joint revealed complete fusion of epiphysis. The PW-5 exhibited the medical report marked as Ext. 3 wherein Ext. 3(1) is his signature and Ext. 3(2) is the X-ray report. The PW-5 was not cross-examined by the defence.

- 13. The PW- 6 Inspector Utpal Borah had investigated the case. In his evidence he stated that on 10.11.2016 he was working as I/C, Joysagar out-post. On that day he received the FIR vide GD entry no. 174 and the same was forwarded to the O.C. Sivasagar. The O.C. of Sivasagar PS registered Sivasagar PS case no. 1006/2010 u/s 4 of POCSO Act.
- 14. During investigation the I.O. visited the place of occurrence and prepared sketch map marked as Ext. 5 wherein Ext. 5(1) is his signature. He also exhibited extract copy of GD entry marked as Ext. 4 wherein Ext. 4(1) is his signature. During investigation PW-6 recorded the statement of the witnesses and also got the victim examined medically. Her statement was also recorded u/s 164 of Cr.P.C. On completion of investigation he submitted charge-sheet u/s 4 of POCSO Act against the accused.

In cross-examination the PW- 6 admitted that during investigation he did not seize any document relating to the age of the victim. He also admitted that he did not examine the family members of the accused person as witnesses. He did not examine Ananta Saikia @ Bubu as witness. The PW-6 stated that the PW-1 stated before him that the accused had offered money but did not specifically mention that he had offered Rs. 1500.00. The PW-6 denied that he did not investigate the case properly.

15. The accused was examined u/s 313 of Cr.P.C. During his examination the accused denied all the allegations levelled against him. He stated that he does not know the reason as to why the victim girl has filed the case against him. The accused during his examination u/s 313 of Cr.P.C. admitted that the victim girl was below 18 years at that time.

16. The Hon'ble Supreme Court of India in AIR1983SC753-Bharwada Bhoginbhai Hirjibhai-Vs-State of Gujarat while dealing with the point of appreciation of evidence of in a rape case held as follows:

- "(1) By and large a witness cannot be expected to possess a photographic memory and to recall the details of an incident. It is not as if a video tape is replayed on the mental screen.
- (2) Ordinarily it so happens that a witness is overtaken by events. The witness could not have anticipated the occurrence which so often has an element of surprise. The mental faculties therefore cannot be expected to be attuned to absorb the details.
- (3) The powers of observation differ from person to person. What one may notice, another may not. An object or movement might emboss its image on one person's mind whereas it might go unnoticed on the part of another.
- (4) By and large people cannot accurately recall a conversation and reproduce the very words used by them or heard by them. They can only recall the main purport of the conversation. It is unrealistic to expect a witness to be a human tape recorder.
- (5) In regard to exact time of an incident, or the time duration of an occurrence, usually, people make their estimates by guess work on the spur of the moment at the time of interrogation. And one cannot expect people to make very precise or reliable estimates in such matters. Again, it depends on the time-sense of individuals which varies from person to person,
- (6) Ordinarily a witness cannot be expected to recall accurately the sequence of events which take place in rapid succession or in a short time span. A witness is liable to get confused, or mixed up when interrogated later on.
- (7) A witness, though wholly truthful, is liable to be overawed by the court atmosphere and the piercing cross examination made by counsel and out of nervousness mix up facts, get confused regarding sequence of events, or fill up details from imagination on the spur of the moment. The sub-conscious mind of the witness sometimes so operates on account of the fear of looking

foolish or being disbelieved though the witness is giving a truthful and honest account of the occurrence witnessed by him-Perhaps it is a sort of a psychological defence mechanism activated on the spur of the moment.

8. Discrepancies which do not go to the root of the matter and shake the basic version of the witnesses therefore cannot be annexed with undue importance. More so when the all-important "probabilities-factor" echoes in favour of the version narrated by the witnesses.

9. It is now time to tackle the pivotal issue as regards the need for insisting on corroboration to the testimony of the prosecutrix in sex-offences. This Court, in Rameshwar v. The State of Rajasthan MANU/SC/0036/1951: 1952CriLJ547 has declared that corroboration is not the sine qua-non for a conviction in a rape case. The utterance of the Court in Rameshwar may be replayed, across the time-gap of three decades which have whistled past, in the inimitable voice of Vivian Bose, J. who spoke for the Court-

The rule, which according to the cases has hardened into one of law, is not that corroboration is essential before there can be a conviction but that the necessity of corroboration, as a matter of prudence, except where the circumstances make it safe to dispense with it, must be present to the mind of the judge.

The only rule of law is that this rule of prudence must be present to the mind of the Judge or the jury as the case may be and be understood and appreciated by him or them. There is no rule of practice that there must, in every case, be corroboration before a conviction can be allowed to stand.

10. And whilst the sands were running out in the time-glass, the crime graph of offences against women in India has been scaling new peaks from day to day. That is why an elaborate rescanning of the jurisprudential sky through the lenses of 'logos' and 'ethos', has been necessitated.

11. In the Indian setting, refusal to act on the testimony of a victim of sexual assault in the absence of corroboration as a rule, is adding insult to injury. Why should the evidence of the girl or the woman who complains of rape or sexual molestation be viewed with the aid of spectacles fitted with lenses tinged with doubt, disbelief or

suspicion? To do so is to justify the charge of male chauvinism in a male dominated society. We must analyze the argument in support of the need for corroboration and subject it to relentless and remorseless cross-examination. And we must do so with a logical, and not an opinionated, eye in the light of probabilities with our feet firmly planted on the soil of India and with our eyes focused on the Indian horizon. We must not be swept off the feet by the approach made in the Western World which has its own social milieu, its own social mores, its own permissive values, and its own code of life. Corroboration may be considered essential to establish a sexual offence in the backdrop of the social ecology of the Western World. It is wholly unnecessary to import the said concept on a turn-key basis and to translate it on the Indian soil regardless of the altogether different atmosphere, attitudes, mores, responses of the Indian Society, and its profile. The identities of the two worlds are different."

The Hon'ble Supreme Court in the said judgment further observed as follows:

 $^{\prime\prime}$...Without the fear of making too wide a statement, or of overstating the case, it can be said that rarely will a girl or a woman in India make false allegations of sexual assault on account of any such factor as has been just enlisted. The statement is generally true in the context of the urban as also rural Society. It is also by and large true in the context of the sophisticated, not so sophisticated, and unsophisticated society. Only very rarely can one conceivably come across an exception or two and that too possibly from amongst the urban elites. Because :(1) A girl or a woman in the tradition bound non-permissive Society of India would be extremely reluctant even to admit that any incident which is likely to reflect on her chastity had ever occurred. (2) She would be conscious of the danger of being ostracized by the Society or being looked down by the Society including by her own family members, relatives, friends and neighbours. (3) She would have to brave the whole world. (4) She would face the risk of losing the love and respect of her own husband and near relatives, and of her matrimonial home and happiness being shattered. (5) If she is unmarried, she would apprehend that it would be difficult to secure an alliance with a suitable match from a respectable or an acceptable family. (6) It would almost inevitably and almost invariably result in mental torture and suffering to herself. (7) The fear of being taunted by others will always haunt her. (8) She would feel extremely embarrassed in relating the incident to others being over powered by a feeling of shame on account of the upbringing in a tradition bound society where by and large sex is taboo. (9) The

natural inclination would be to avoid giving publicity to the incident lest the family name and family honour is brought into controversy. (10) The parents of an unmarried girl as also the husband and members of the husband's family of a married woman would also more often than not, want to avoid publicity on account of the fear of social stigma on the family name and family honour. (11) The fear of the victim herself being considered to be promiscuous or in some way responsible for the incident regardless of her innocence. (12 The reluctance to face interrogation by the investigating agency, to face the court, to face the cross examination by Counsel for the culprit, and the risk of being disbelieved, acts as a deterrent."

- 17. Let me now examine the evidence adduced by the prosecution in the light of the observations made by the Hon'ble Supreme Court of India. From the evidence adduced by the prosecution side it appears that the entire incident came to light after about 8(eight) months when the mother of the victim girl(PW-1) noticed physical changes of her daughter due to pregnancy. The only witness who was present at the time of the incident was the victim herself. From the evidence of the victim girl (PW-2) it is also clear that the accused took the opportunity of absence of the other family members in his house while committing the crime. The victim stated that she was called by the daughter-in-law of the accused to stay in the house of the accused till her return. On another occasion she went to wash clothes in the tube well in the house of the accused. The incident took place on various dates at different times. Therefore the evidence of the other witnesses are relevant only so far as the pregnancy of the victim is concerned.
- 17. Now the first point to be decided is whether the victim girl was a minor at the time of the occurrence. From the evidence on record it is clear that the I.O. did not seize any birth certificate or school certificate of the victim girl. The PW-1 who is the mother of the victim girl stated that at the time of incident the victim was aged about 15 years and she was reading in class VIII. In her cross-examination she denied the suggestion that the victim girl was above 18 years at them time of the incident.
- 18. The PW-2(victim) while adducing evidence did not say anything about her age. But in cross-examination affirmed that before filing of this case, her maternal uncle had lodged a case against her and she faced trial in JJB, Sivasagar as a juvenile in conflict with law. So admittedly she was below 18 years at the relevant time. This fact was brought on record by the defence side in her (PW-2) cross-examination.

19. The PW-3 is the father of the victim. He stated that at the time of the incident his daughter was above 18 years, but I do not find him reliable because in his evidence he showed an indifferent attitude. Though the victim is his daughter but he stated in cross-examination that he even does not know who had lodged the FIR. At the same time he also stated that the victim is his daughter. So I do not rely on his evidence.

- 20. The PW-5 Dr. N. Choudhury in his evidence on the basis of the Radiological report stated that the victim was aged below 18 years. It is pertinent to note here that the PW-5 examined the victim girl after 8 (eight) months of the incident. The PW-5 was not cross-examined by the defence. So his finding and opinion about the age of the victim girl remain unrebutted. This part of the evidence of PW-5 regarding age of the victim girl was brought to the notice of the accused during his examination u/s 313 of Cr.P.C. and the accused admitted that at the time of medical examination of the victim girl, she was below 18 years of age.
- 21. Therefore from the evidence as discussed above, it can be conclusively concluded that at the time of the incident, the victim girl was below 18 years of age.
- 22. The second point to be decided is whether the accused committed penetrative sexual assault on the victim girl repeatedly.
- 23. The PW-5 Dr. N. Choudhury in his evidence stated that on 11.11.2016 he examined the victim girl and she was 34 weeks pregnant. As stated already, he was not cross-examined by the defence. During his examination u/s 313 of Cr.P.C. when the accused was asked about this fact, he simply expressed his ignorance. The accused during his entire examination u/s 313 of Cr.P.C. simply expressed his ignorance about the matter.
- 24. The PW-1 and PW-4 in their evidence stated that the victim was 8(eight) months pregnant when the matter came to their knowledge. On being asked by her mother (PW-1) the victim told that the accused repeatedly raped her in his house and threatened her and asked her not to disclose the matter to anyone. So she remained silent. But when the PW-1 noticed physical changes, she enquired and then the victim girl disclosed every incident to her. The PW-4 came to know from the PW-1. The PW's

also affirmed that the victim girl gave birth to a girl child and the said child was handed over to Child Welfare Committee.

25. The PW-2 who is the victim in her evidence clearly stated that the accused raped her repeatedly and threatened her with dire consequences in case she discloses the matter to anyone. From the evidence record it appears that on one occasion she (victim) went to wash clothes in the tube well in the house of the accused and accused asked her to prepare a cup of tea. While she was preparing tea, the accused grabbed her and raped her by gagging her mouth. On another occasion, she was requested by the daughter-in-law of the accused to stay in their house till her return. So it can be easily presumed that there was none in the house of the accused except the accused and that is why his daughter-in-law asked the victim to stay in the house being their neighbour. The accused took the opportunity to satisfy his lust and raped the minor girl who was of his grand-daughter's age. In this way, on various occasions, the accused raped the victim and ultimately she became pregnant. The victim girl in her statement recorded u/s 164 of Cr.P.C. also stated in the similar manner.

In cross-examination some suggestions were put but her evidence remain unshaken.

The PW-1 and PW-2 also stated that the accused offered money for termination the pregnancy.

- 26. Section 5 of the POCSO Act defines aggravated penetrative sexual assault. According to section 5(I) of POCSO Act whoever commits penetrative sexual assault on the child more than once or repeatedly commits the offence of aggravated penetrative sexual assault.
- 27. Section 6 of the POCSO Act provides for punishment for the offence.
- 28. Section 376(2) (n) of IPC says whoever commits rape repeatedly on the same woman shall be punished under the said section.
- 29. In the instant case the victim is below 18 years of age. Therefore, section 29 of POCSO Act which provides as follows is relevant:
- " Presumption as to certain offences-- Where a person is prosecuted for committing or abetting or attempting to commit any offence under sections 3, 5, 7 and

section 9 of this Act, the Special Court shall presume, that such person has committed or abetted or attempted to commit the offence, as the case may be unless the contrary is proved."

- 30. In the instant case from the evidence of the PW-1, PW-2 and PW-4 and the medical evidence, the facts which are required to raise a presumption u/s 29 of the Act have been proved, the presumption is drawn that the accused has committed the offence u/s 5(I) of POCSO Act. The said presumption is rebuttable. But the accused has not been able rebutted the said presumption either by means of direct evidence or by means of any circumstantial evidence. The law is that the rebuttal need not be beyond reasonable doubts. But in this case the defence failed to bring any material on record to rebut the presumption raised u/s 29 of POCSO Act. Thus it is held that the prosecution has proved that the accused committed the offence of aggravated penetrative sexual assault as defined u/s 5(I) of POCSO Act.
- 31. From the discussion of the evidence on record it is established that the accused forcefully made physical relation with the minor victim repeatedly and as a result she became pregnant and gave birth a female child. Accordingly the accused is found guilty for commission of the offence u/s 5(I) of the POCSO Act which is punishable u/s 6 of POCSO Act.
- 32. The accused Laba Kanta Bora is accordingly convicted u/s 6 of POCSO Act.
- 33. Section 6 of POCSO Act provides for rigorous imprisonment for a period which shall not be less than ten years but which may extend to imprisonment for life and also be liable to fine.
- 34. I have considered the applicability of section 3 & 4 of the Probation of Offenders Act in this case. Considering the nature of offence proved by the prosecution and considering the punishment provided for the offence the accused is found unfit to get the benefit under the said provision of law.
- 35. Heard the convict on the point of sentence. His statement is recorded in separate sheets. I have also heard ld. advocate of both the sides.

36. On the point of awarding just sentence in a case of rape, Hon'ble Supreme Court of India has observed in Shyam Narain -V- State (NCT Of Delhi), [(2013) 7 SCC 77] as follows:

"14. Primarily it is to be borne in mind that sentencing for any offence has a special goal. Sentence is to be imposed regard being had to the nature of the offence and the manner in which the offence has been committed. The fundamental purpose of imposition of sentence is based on the principle that the accused must realize that the crime committed by him has not only created a dent in his life but also a concavity in the social fabric. The purpose of just punishment is designed so that the individuals in the society which ultimately constitute the collective do not suffer time and again for such crimes. It serves as a deterrent. True it is, on certain occasions, opportunities may be granted to the convict for reforming himself but it is equally true that the principle of proportionality between an offence committed and the penalty imposed are to be kept in view. While carrying out this complex exercise, it is obligatory on the part of the Court to see the impact of the offence on the society as a whole and its ramifications on the immediate collective as well as its repercussions on the victim."

- 37. Keeping in view of facts and circumstances of the case and age of the convict and other facts that have emerged in evidence I am of the opinion that the minimum sentence will meet the ends of justice.
- 38. Accordingly Laba Kanta Bora is sentenced to undergo rigorous imprisonment for 10 (ten) years for committing the offence u/s 6 of POCSO Act, 2012 and also to pay fine of Rs. 5,000.00 (five thousand) only, in default to undergo simple imprisonment for 3(three) months.
- 39. The convict is taken into custody and is remanded to District Jail, Sivasagar to serve out the sentence.
- 40. The convict is entitled for the benefit of section 428 of Cr.P.C. for the period of imprisonment already undergone during investigation and trial.
- 41. Considering the facts and circumstances of the case, the matter is referred to DLSA, Sivasagar for awarding compensation to the victim u/s 357A of Cr.P.C. Send a copy of this judgment to the Secretary, DLSA, Sivasagar for needful action.

42. The convict is informed about his right to prefer appeal against this judgment & order.

- 43. The bail bond executed by the accused stands discharged.
- 44. A free copy of this judgment be furnished to the convict u/s 363(1) of Cr.P.C.
- 45. Send a copy of this judgment to the District Magistrate, Sivasagar as per the provisions of section 365 of Cr.P.C.

Given under my hand and seal of this Court on this 10th day of October, 2019.

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Special Judge, Sivasagar.

Special (P) Case No. 53/2016

Date: 10-10-2019

APPENDIX

1. <u>Prosecution witnesses:</u>

- PW 1 Mother of the victim girl
- PW 2 X (victim)
- PW 3 Father of the victim girl
- PW 4 Brother of the victim girl
- PW 5 Dr. Nirmalya Choudhury
- PW 6 Inspector Utpal Borah

2. Exhibits by prosecution-

- Ext.1 FIR
- Ext.2 statement u/s 164 of Cr.P.C of victim,
- Ext.3 Medical examination report
- Ext.4 Copy of GD entry
- Ext. 5 Sketch map
- Ext. 6- Charge-sheet
- 3. Defence witnesses-

Nil

4. Defence exhibits-

Nil

5. Court witnesses-

Nil

6. Court exhibits-

Nil

Special Judge, Sivasagar.