Special (P) Case No. 16/19

12/09/19

Accused Joynur Ali @ Joinur Ali is present.

Heard both sides on the point of charge. Perused case record, case diary, statement of victim recorded u/s- 161 CrPC and 164 CrPC, medical report, statement of witnesses and on scrutiny of entire documents on record I find primafacie materials to proceed with the case u/s- 345 IPC and section 8 of the POCSO Act against accused Joynur Ali @ Joinur Ali. Accordingly, formal charge is framed against accused Joynur Ali @ Joinur Ali u/s- 345 IPC and section 8 of the POCSO Act and read over and explained to the accused to which he pleaded not guilty and claimed to be tried.

On perusal of statements of the victim recorded u/s-161 CrPC and 164 CrPC, it appears that she did not make any statement of using obscene word in the public place and causing mischief of her property and there is no prima-facie ingredient of section 294/427 IPC. Accordingly, Accused is discharged from the charge of section 294/427 IPC.

Issue summon to PWs. Fix 04/12/19 for evidence.

Special Judge Nalbari