Special (POCSO) Case No. 06/2017

18.12.2018:

The sole accused Simanta Das is represented by learned defence counsel, Mr. B. K. Bordoloi.

In this case, the said accused is facing trial with regard to charges u/s 366A/376(2) IPC r/w Section 4 of the POCSO Act. So far, the parents of the alleged victim girl have been examined as PW-1 and PW-2. PW-1, father of the victim girl was the informant of the case.

On 02.11.2018, a petition no. 2000/18, was filed by Ms. Dayali Das, mother of the accused stating that the accused person has committed suicide on 24.10.2018, whereupon, the learned Officer-in-Charge of Jagiroad Police Station was directed by this Court vide order dated 02.11.2018, to enquire and submit report. Subsequently, a report dated 08.11.2018, has been submitted by the In-Charge of Nellie Police Out Post under Jagiroad Police Station stating that on 24.10.2018, Simanta Das, son of Aswini Das, village Santipur under Jagiroad Police Station committed suicide and the said matter was investigated vide Nellie GDE No. 495, dated 24.10.2018. It is further stated that inquest was also done by the Executive Magistrate and that a case was also registered vide Jagiroad PS Case No. 442/18 u/s 120(B)/302 IPC.

Heard learned public prosecutor appearing for the State.

In the aforesaid facts and circumstances, I am of the considered view that the death report of the sole accused Simanta Das can be accepted and is accordingly, accepted. Consequently, the instant case abates against the accused Simanta Das and since the said accused was the sole accused, the instant case is also abated.

Accordingly, the instant case stands disposed of, on abatement, on the aforesaid terms.

Special Judge Morigaon, Assam