SPL POCSO 34/16.

State.		Complainant.
State.	•••• ,,,,,,,,	Compiamant.

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Md. Riajul Islam Laskar. S/O Late Mojaid Mia Laskar Nagdirgram Part-I.P.S. Sonai. :::::: Accused.

U/S 366(A) IPC.

ORDER Dated 10-03-17.

Accused is present. Three P.Ws including the victim, her mother and the complainant are present. They are examined. Ld. Defence counsel has declined to cross-examine the two witnesses but cross-examined P.W.3. They are discharged. Considering the nature of evidence learned P.P. has submitted for closure of the prosecution evidence on the ground that examination of accused any further witness would not in any way improve the prosecution case. Sufficient force is found in the submission. Hence, evidence is closed. I would like to dispose of the case under provision of Sec 232 Cr.P.C. Accused is examined .Heard argument of both sides.

In the instance case charge was framed U/S 366 IPC on the accusation that on 23-06-13 at about 5.00 p.m. the accused kidnapped the minor daughter of the complainant. The charge when read out denied by the accused.

- P.W.1 is the complainant, the father of the victim. According to him out of misunderstanding he lodged the complaint against the accused. Ext-1 is the ejahar. He further deposed that accused and the victim got married earlier to the filing of FIR. He also deposed that he has no grievance against the accused.
- P.W.2 the victim of the case deposed that her father out of misunderstanding lodged FIR against the accused who was then her husband. She also deposed that at the material time she was above 18 years. She deposed that she is now residing with the accused as husband and wife and out of their wedlock she was blessed with a son aged about three years.
- P.W.3 mother of the victim. She deposed that her daughter got married with the accused socially by executing Kabin-nama and fixing dower and she was blessed with a son. She has also deposed that she has no grievance against the accused.

From the above, it reveals that there is nothing come out against the accused to establish the allegation of kidnapping. That being so, the prosecution charge is held to be not proved at all for want of implicating evidence. Accused is thus held to be not guilty of the offence as charged or whatsoever and he is therefore acquitted and set at liberty forthwith.

Bail bond stands discharged.

This order of acquittal is pronounced and delivered in the open Court under seal & signature of this Court on this 10th day of March,2017.

Special Judge. Cachar, Silchar.