

West Bengal Form No. 3953.  
High Court Criminal Form No. (O) 36.

**CHARGE WITH TWO HEAD**

[No.XXVIII (I), Schedule V, Act V, 1898.]  
[Sections 221, 222, 223, Code of Criminal Procedure.]

Name & Office

of the Judge I, Sarbani Mallik (Chattopadhyay),  
Addl. Sessions Judge & Spl Judge (POCSO Act) 2<sup>nd</sup> Court,  
Suri, Birbhum.

Name of the

accused person hereby charge you **Malek Uddin Khan**

as follows -

Firstly : That you on 14.10.2025 at about 11:00 p.m at night when the minor daughter of defacto complainant after returning back from Natural's call when was moving to her room and reached to her courtyard all on a sudden you entered into said house illegally and thereby you all committed an offence punishable under Section 329 of BNS and within the cognizance of this court.

Secondly : That you on the same date, time and place hugged the minor girl of defacto complainant against her will from back side and touched her various parts of her body and breasts and thereby you all committed the offence punishable under Section 12 of POCSO Act and within the cognizance of this court.

And I hereby direct that you be tried by the said Court on the said charge. The contents of the said charge is read over and explained to the accused person in Bengali to which he pleaded not guilty and claimed to be tried.

Dated this the 2nd day of February, 2026

Special Judge (POCSO Act),  
2<sup>nd</sup> Court, Suri, Birbhum.

Order No. 01

Dated 02.02.2026

The record is fixed for appearance and consideration of charge.

The accused person, namely, Malek Uddin Khan on Court bail is present.

Ld. Spl. P.P and the Ld. Advocate for the accused persons are present.

The defacto complainant files hazira.

The record is taken up for consideration of charge.

After hearing both sides and on perusal of the materials on record, I find that a prima facie case under Section-329 of BNS and Section 12 of POCSO Act against accused Malek Uddin Khan has been established. Charge is accordingly framed with two head under Section-329 of BNS and Section 12 of POCSO Act against accused Malek Uddin Khan in prescribed form which be tagged with the record. The contents of the charge is read over and explained to the accused person in Bengali to which the accused person pleaded not guilty by saying "Ami Nirdosh" and claimed to be tried.

Fix 20.02.2026 for evidence of victim girl and the defacto complainant.

Prosecution is to see that summons upon the said witnesses are issued accordingly.

Witnesses are directed to be present accordingly and for non-compliance of the same provision of section 350 of the Code of Criminal Procedure will be followed.

The I.O is hereby directed to be remained present during entire schedule by producing every witness.

Dictated & corrected

Special Judge (POCSO Act),  
Suri, Birbhum

Special Judge (POCSO Act),  
Suri, Birbhum.