

FORM-A

In the court of Additional District & Sessions Judge,
2nd Court, Dakshin Dinajpur at Balurghat.



Present : Smt. Anindita Ganguli, (J.O. Code 00836)
Additional Sessions Judge, 2nd Court,Spl. Judge (under POCSO Act),
Balurghat , Dakshin Dinajpur.

Judgment delivered on the 04th day of June, 2026
Special (POCSO) Trial No.:51(08)2024
Special (POCSO) Case No.:54/2024
CNR No. : WBDD01-001484-2024

(Arising out of Hili P.S Case No.82/2024 dated 03.06.2024).

State of West Bengal
VS
Narayan Singh @ Naran
(Details of FIR/Crime and Police Station)

Complainant	STATE OF WEST BENGAL OR DEFACTO COMPLAINANT ‘X’
REPRESENTED BY Ld. P.P.	AMAR NATH GHOSH
ACCUSED	Narayan Singh @ Naran, S/o- Lt. Jhanak Singh of village Shyampur, PS Hili, District Dakshin Dinajpur.
REPRESENTED BY	UJJWAL KUMAR DEY

FORM B

Date of Offence	26.05.2024 & 01.06.2024
Date of FIR	03.06.2024
Date of Charge sheet	31.07.2024 & 08.07.2025
Date of Framing of Charges	14.08.2024
Date of commencement of Evidence	21.09.2024
Date on which Judgment is reserved	02.05.2026
Date of the Judgment	04.06.2026
Date of Sentencing Order, if any	06.06.2026

Accused details :

Rank of the Accused	Name of the Accused	Date of arrest	Date of released on bail	Offences charged with	Whether acquitted or convicted	Sentenced imposed
1	Narayan Singh @ Naran	18.07.2024	Custody	U/ s.376AB /506 of IPC & Sec.6/8/12 of POCSO Act	Convicted	that Naran Singha is convicted for the commission of offence punishable under section 506 IPC and sentenced to suffer simple imprisonment for a period of two (02) years and to pay fine of Rs.2,000/- in default to suffer simple imprisonment for a further period of one (01) month. Naran Singha is also convicted for the commission of offence punishable under section 8 POCSO Act and sentenced to suffer simple imprisonment for a period of five (05) years and to pay fine of Rs.5,000/- in default to suffer simple imprisonment for a further period of six (06) months. Naran Singha is convicted for the commission of offence punishable under section 10 POCSO Act and sentenced to suffer simple imprisonment for a period of five (05) years and to pay fine of Rs.5,000/- in default to suffer simple imprisonment for a further period of six (06) months. Naran Singha is convicted for the commission of offence punishable under section 12 POCSO Act and sentenced to suffer simple imprisonment for a period of two (05) years and to pay fine of Rs.5,000/- in default to suffer simple imprisonment for a further period of six (06) months. The period of detention suffered by the convict in the course of investigation, trial be set off u/s. 428 of Cr. P.C. as per procedure. All sentences to run concurrently.

FORM-C

LIST OF PROSECUTION/DEFENCE/COURT WITNESSES

A. Prosecution :

RANK	NAME	NATURE OF EVIDENCE (EYE WITNESSES, POLICE WITNESS, EXPERT WITNESS, MEDICAL, PANCH WITNESS, OTHER WITNESS.
PW.1	Dulali Mondal	Seizure witness
PW.2	Prova Barman	Seizure witness
PW.3	‘Y’	Father of VG
PW.4	‘X’	Defacto complainant/mother of VG
PW.5	D.S	Seizure witness/uncle of VG

PW.6	Nirmal Singh	Neighbour of complainant
PW.7	‘VG’	Victim Girl
PW.8	Mrinmoy Laha	Scribe
PW.9	R.S	Seizure witness/aunt of VG
PW.10	SI Subham Kumar Saha	Investigating Officer

B. Defence Witnesses, if any :

RANK	NAME	NATURE OF EVIDENCE (EYE WITNESSES, POLICE WITNESS, EXPERT WITNESS, MEDICAL, PANCH WITNESS, OTHER WITNESS.
-	-	-

C. Court Witnesses, if any :

RANK	NAME	NATURE OF EVIDENCE (EYE WITNESSES, POLICE WITNESS, EXPERT WITNESS, MEDICAL, PANCH WITNESS, OTHER WITNESS.
-	-	-

LIST OF PROSECUTION/DEFENCE/COURT EXHIBITS

A. Prosecution :

Sl. No.	Exhibit Number	Description
1	Exhibit-P1/PW1	Signature of PW1 on the S/L dated 04.06.2024
2	Exhibit-P1/a/PW2	Signature of PW2 on the S/L dated 04.06.2024
3	Exhibit-P1/b/PW10	S/L dated 04.06.2024
4	Exhibit-P2/PW4	Signature of PW4 on the written complaint
5	Exhibit-P2/a/PW8	Signature of PW8 on the written complaint.
6	Exhibit-P2/b/PW10	Receiving endorsement on the written-complaint
7	Exhibit-P3/PW4	Signature of PW4 on the S/L dated 06.06.2024
8	Exhibit-P3/a/PW5	Signature of PW5 on S/L dated 06.06.2024
9	Exhibit- P3/b/PW9	Signature of PW9 on S/L dated 06.06.2024
10	Exhibit-P3/c/PW10	S/L dated 06.06.2024
11	Exhibit-P4/PW4	Signature of PW4 on the medical paper
12	Exhibit-P4/a/PW10	Medical Report of the VG
13	Exhibit-P5/PW4	Duplicate birth certificate of VG
14	Exhibit-P6/PW7	Statement under section 164 Cr.P.C of the PW7
15	Exhibit-P7/PW10	Formal FIR
16	Exhibit-P8/PW10 & Exhibit -P8/a/PW10	Rough sketch map with index.
17	Exhibit-P9/PW10	RFSL Report
18	Exhibit-P10/PW10	Potency test report of the accused

B. Defence :

Sr. No.	Exhibit Number	Description
-	-	-

C. Court Exhibits :

Sr. No.	Exhibit Number	Description
-	-	-

D. Material Objects :

Sr. No.	Exhibit Number	Description
-	-	-

J U D G M E N T

1. The fact of the prosecution case, in brief, is that on 03.06.2024, the defacto-complainant [**here-in-after referred to as ‘X’**] came to the police station and lodged a written complaint against the accused person, namely, Naran Singh [**here-in-after referred to as ‘A’**] to the effect that the ‘A’ sexually assaulted the minor daughter [**here-in-after referred to as ‘VG’**] of the ‘X’, aged 11 years since last one [1] year. On 26.05.2024 at about 13:30 hours while the ‘VG’ went to the house of ‘A’ to bring grater for cutting mangoes, at that time ‘A’ took her to his bedroom by luring her and raped her. On 01.06.2024 at about 17:00 hours when the ‘VG’ was sitting at verandah of her house, ‘A’ made sexually coloured gesture towards the ‘VG’. Later the ‘VG’ reported the matter to ‘X’.
2. On the basis of the said complaint Inspector-in-charge, of Hili PS initiated Hilli P.S. Case No.82/2024 dated 03.06.2024 under sections 376AB of IPC and Section 6(1)/8/12 of POCSO Act against the FIR named accused person ‘A’ and on 31-07-2024 after completion of investigation PSI Subam Kumar Saha filed charge-sheet in this case being No.112/2024 against the accused person ‘A’ for offence under sections 376 AB/506 of IPC and Section 6(1)/8/12 of POCSO Act and on 01-08-2024 this court [my predecessor in interest of this court] took the cognizance of the offence against the

accused person 'A' for offence punishable under sections 376 AB/506 of IPC and Section 6(1)/8/12 of POCSO Act.

3. On 14.08.2024 charge is framed against the accused person 'A' under section 376AB/506 of IPC and Section 6(1)/8/12 of POCSO Act and the content of the charge so framed were read over and explained to the accused person to which he pleaded not guilty of the offence and claimed to be tried. It appears from the case record that in the formal charge the elaboration of Section 8 POCSO Act has not been filled up. But considering that 'sexual assault' is the very genesis of the prosecution case, and higher sections of law are framed, the 'A' will not suffer any prejudice. Hence, the trial.

4. During trial, the prosecution examined total ten (10) charge-sheet witnesses who were cross-examined by the defence on behalf of the accused person 'A'. Thereafter, the accused person 'A' was examined under section 313 Cr.P.C to which he pleaded innocence and declined to adduce any DW.

5. The Defence case, as it reveals from the trend of cross examination of the prosecution witnesses and examination of the accused person under section 313 Cr.P.C is of innocence and false implication out of inimical relation to recover landed property.

6. POINTS FOR DETERMINATION.

- 1. Whether the accused person 'A' is guilty for commission of the offence punishable under sections 376AB/506 of IPC read with Section 6/8/12 of POCSO Act ?***
- 2. Whether the prosecution has been able to bring home the charges labeled against the accused person beyond the shadow of all reasonable doubt?***

7. DECISION WITH REASONS.

Both the aforesaid points are taken up together for the sake of brevity in discussion and to avoid repetition of facts.

Learned Special P.P. in-charge during argument stated that in this case prosecution has examined ten charge-sheet witnesses and

prosecution witnesses including victim girl, defacto complainant and other witnesses duly corroborated the prosecution case. Ld. Special PP-in-charge prayed for conviction of the accused person.

Learned Defence Advocate during argument stated that in this case prosecution failed to establish the fact that the 'VG' is a minor under 12 years of age as the birth certificate so exhibited has not been enquired into. Ld Advocate also drew my attention to the contradictions surfacing on record as to the kind of wearing apparel of the 'VG'; the fact that the 'VG' went on her own volition to the house of the 'A'. Ld Advocate further agitated that had the story of prosecution been true the RFSL report would have definitely revealed the same. But neither the medical report nor the RFSL report supports the prosecution case. Ld Advocate raised the issue that as the father of the 'VG' and the 'A' has inimical relation over landed property, this case has been created after thorough planning by the family members to pressurize the 'A' to quit from the land under his possession. Thus, Learned Defence Advocate prayed for acquittal of the accused person.

8. Let us see the legal provisions of the offences charged with.

Rape as been defined in 375 of the Indian Penal Code. Rape has been defined in 375 of the Indian Penal Code. It says that a man is said to commit "rape" if he—

(a) penetrates his penis, to any extent, into the vagina, mouth, urethra or anus of a woman or makes her to do so with him or any other person; or

(b) inserts, to any extent, any object or a part of the body, not being the penis, into the vagina, the urethra or anus of a woman or makes her to do so with him or any other person; or

(c) manipulates any part of the body of a woman so as to cause penetration into the vagina, urethra, anus or any part of body of such woman or makes her to do so with him or any other person; or

(d) applies his mouth to the vagina, anus, urethra of a woman or makes her to do so with him or any other person,

under the circumstances falling under any of the following seven descriptions:

First. Against her will.

Secondly. Without her consent.

Thirdly. With her consent, when her consent has been obtained by putting her or any person in whom she is interested, in fear of death or of hurt.

Fourthly. With her consent, when the man knows that he is not her husband and

that her consent is given because she believes that he is another man to whom she is or believes herself to be lawfully married.

Fifthly. With her consent when, at the time of giving such consent, by reason of unsoundness of mind or intoxication or the administration by him personally or through another of any stupefying or unwholesome substance, she is unable to understand the nature and consequences of that to which she gives consent.

Sixthly. With or without her consent, when she is under eighteen years of age.

Seventhly. When she is unable to communicate consent.

Section 376AB of the Indian Penal Code. Punishment for rape on woman under twelve years of age. It says that whoever, commits rape on a woman under twelve years of age shall be punished with rigorous imprisonment for a term which shall not be less than twenty years, but which may extend to imprisonment for life, which shall mean imprisonment for the remainder of that person's natural life, and with fine or with death.

Provided that such fine shall be just and reasonable to meet the medical expenses and rehabilitation of the victim:

Provided further that any fine imposed under this section shall be paid to the victim.

Section 354 of the Indian Penal Code deals with Assault or criminal force to woman with intent to outrage her modesty. It says that whoever assaults or uses criminal force to any woman, intending to outrage or knowing it to be likely that he will thereby outrage her modesty, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.

Section 506 of the Indian Penal Code - Punishment for criminal intimidation. It says that whoever commits, the offence of criminal intimidation shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both; If threat be to cause death or grievous hurt, etc.

Section 3 of Protection of Children from Sexual Offences Act, 2012 : Penetrative sexual assault

(1) In this Act, unless the context otherwise requires, - A person is said to commit "penetrative sexual assault" if-

(a) he penetrates his penis, to any extent, into the vagina, mouth, urethra or anus of a child or makes the child to do so with him or any other person; or

(b) he inserts, to any extent, any object or a part of the body, not being the penis, into the vagina, the urethra or anus of the child or makes the child to do so with him or any other person; or

(c) he manipulates any part of the body of the child so as to cause penetration into the vagina, urethra, anus or any part of body of the child or makes the child to do so with him or any other person; or

(d) he applies his mouth to the penis, vagina, anus, urethra of the child or makes the child to do so to such person or any

Section 5 of the Protection of Children from Sexual Offences Act, 2012, provides - Aggravated penetrative sexual assault.—

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(a)Whoever, being a police officer, commits penetrative sexual assault on a child —

(i)within the limits of the police station or premises at which he is appointed; or

(ii)in the premises of any station house, whether or not situated in the police station, to which he is appointed; or

(iii)in the course of his duties or otherwise; or

(iv)where he is known as, or identified as, a police officer; or

(b)whoever being a member of the armed forces or security forces commits penetrative sexual assault on a child—

(i)within the limits of the area to which the person is deployed; or

(ii)in any areas under the command of the forces or armed forces; or

(iii)in the course of his duties or otherwise; or(iv)where the said person is known or identified as a member of the security or armed forces; or

(c)whoever being a public servant commits penetrative sexual assault on a child; or

(d)whoever being on the management or on the staff of a jail, remand home, protection home, observation home, or other place of custody or care and protection established by or under any law for the time being in force, commits penetrative sexual assault on a child, being inmate of such jail, remand home, protection home, observation home, or other place of custody or care and protection; or

(e)whoever being on the management or staff of a hospital, whether Government or private, commits penetrative sexual assault on a child in that hospital; or

(f)whoever being on the management or staff of an educational institution or religious institution, commits penetrative sexual assault on a child in that institution; or

(g)whoever commits gang penetrative sexual assault on a child. Explanation.— When a child is subjected to sexual assault by one or more persons of a group in furtherance of their common intention, each of such persons shall be deemed to have committed gang penetrative sexual assault within the meaning of this clause and each of such person shall be liable for that act in the same manner as if it were done by him alone; or

(h)whoever commits penetrative sexual assault on a child using deadly weapons, fire, heated substance or corrosive substance; or

(i) whoever commits penetrative sexual assault causing grievous hurt or causing bodily harm and injury or injury to the sexual organs of the child; or

(j) whoever commits penetrative sexual assault on a child, which—(i) physically incapacitates the child or causes the child to become mentally ill as defined under clause (b) of section 2 of the Mental Health Act, 1987 (14 of 1987) or causes impairment of any kind so as to render the child unable to perform regular tasks, temporarily or permanently; or (ii) in the case of female child, makes the child pregnant as a consequence of sexual assault; (iii) inflicts the child with Human Immunodeficiency Virus or any other life threatening disease or Infection which may either temporarily or permanently impair the child by rendering him physically incapacitated, or mentally ill to perform regular tasks; or

(k) whoever, taking advantage of a child's mental or physical disability, commits penetrative sexual assault on the child; or

(l) whoever commits penetrative sexual assault on the child more than once or repeatedly; or

(m) whoever commits penetrative sexual assault on a child below twelve years; or

(n) whoever being a relative of the child through blood or adoption or marriage or guardianship or in foster care or having a domestic relationship with a parent of the child or who is living in the same or shared household with the child, commits penetrative sexual assault on such child; or

(o) whoever being, in the ownership, or management, or staff, of any institution providing services to the child, commits penetrative sexual assault on the child; or

(p) whoever being in a position of trust or authority of a child commits penetrative sexual assault on the child in an institution or home of the child or anywhere else; or

(q) whoever commits penetrative sexual assault on a child knowing the child is pregnant; or

(r) whoever commits penetrative sexual assault on a child and attempts to murder the child; or

(s) whoever commits penetrative sexual assault on a child in the course of communal or sectarian violence; or

(t) whoever commits penetrative sexual assault on a child and who has been previously convicted of having committed any offence under this Act or any sexual offence punishable under any other law for the time being in force; or

(u) whoever commits penetrative sexual assault on a child and makes the child to strip or parade naked in public, is said to commit aggravated penetrative sexual assault.

Section 6 of Protection of Children from Sexual Offence Act prescribes the punishment for aggravated penetrative sexual assault. It says:-

(1) whoever commits aggravated penetrative sexual assault shall be punished with rigorous imprisonment for a term which shall not be less than twenty years, but which may extend to imprisonment for life, which shall mean imprisonment for the remainder of natural life of that person and shall also be liable to fine, or with death.

(2) The fine imposed under sub-section(1) shall be just and reasonable and paid to the victim to meet the medical expenses and rehabilitation of such victim.

Section 7 of POCSO Act (The Protection of Children from Sexual Offences Act, 2012) defines sexual assault. It says that whoever, with sexual intent touches the vagina, penis, anus or breast of the child or makes the child touch the vagina, penis, anus or breast of such person or any other person, or does any other act with sexual intent which involves physical contact without penetration is said to commit sexual assault.

Section 8 POCSO Act (The Protection of Children from Sexual Offences Act, 2012): Punishment for sexual assault. It says that whoever, commits sexual assault, shall be punished with imprisonment of either description for a term which shall not be less than three years but which may extend to five years, and shall also be liable to fine.

Section 9 in The Protection of Children from Sexual Offences Act, 2012 : Aggravated sexual assault.—

(a)Whoever, being a police officer, commits sexual assault on a child—

(i)within the limits of the police station or premises where he is appointed; or

(ii)in the premises of any station house whether or not situated in the police station to which he is appointed; or

(iii)in the course of his duties or otherwise; or

(iv)where he is known as, or identified as a police officer; or

(b)whoever, being a member of the armed forces or security forces, commits sexual assault on a child—

(i)within the limits of the area to which the person is deployed; or

(ii)in any areas under the command of the security or armed forces; or

(iii)in the course of his duties or otherwise; or

(iv)where he is known or identified as a member of the security or armed forces; or

(c)whoever being a public servant commits sexual assault on a child; or

(d)whoever being on the management or on the staff of a jail, or remand home or protection home or observation home, or other place of custody or care and protection established by or under any law for the time being in force commits sexual assault on a child being inmate of such jail or remand home or protection home or observation home or other place of custody or care and protection; or

(e)whoever being on the management or staff of a hospital, whether Government or private, commits sexual assault on a child in that hospital; or

(f)whoever being on the management or staff of an educational institution or religious institution, commits sexual assault on a child in that institution; or

(g)whoever commits gang sexual assault on a child.

Explanation.— when a child is subjected to sexual assault by one or more persons of a group in furtherance of their common intention, each of such persons shall be

deemed to have committed gang sexual assault within the meaning of this clause and each of such person shall be liable for that act in the same manner as if it were done by him alone; or

(h)whoever commits sexual assault on a child using deadly weapons, fire, heated substance or corrosive substance; or

(i)whoever commits sexual assault causing grievous hurt or causing bodily harm and injury or injury to the sexual organs of the child; or

(j)whoever commits sexual assault on a child, which—

(i)physically incapacitates the child or causes the child to become mentally ill as defined under clause (l) of section 2 of the Mental Health Act, 1987 (14 of 1987) or causes impairment of any kind so as to render the child unable to perform regular tasks, temporarily or permanently; or

(ii)inflicts the child with Human Immunodeficiency Virus or any other life threatening disease or infection which may either temporarily or permanently impair the child by rendering him physically incapacitated, or mentally ill to perform regular tasks; or

(k)whoever, taking advantage of a child"s mental or physical disability, commits sexual assault on the child; or

(l)whoever commits sexual assault on the child more than once or repeatedly; or

(m) whoever commits sexual assault on a child below twelve years; or

(n)whoever, being a relative of the child through blood or adoption or marriage or guardianship or in foster care, or having domestic relationship with a parent of the child, or who is living in the same or shared household with the child, commits sexual assault on such child; or

(o)whoever, being in the ownership or management or staff, of any institution providing services to the child, commits sexual assault on the child in such institution; or

(p)whoever, being in a position of trust or authority of a child, commits sexual assault on the child in an institution or home of the child or anywhere else; or

(q)whoever commits sexual assault on a child knowing the child is pregnant; or

(r)whoever commits sexual assault on a child and attempts to murder the child; or

(s)whoever commits sexual assault on a child in the course of communal or sectarian violence; or

(t)whoever commits sexual assault on a child and who has been previously convicted of having committed any offence under this Act or any sexual offence punishable under any other law for the time being in force; or

(u)whoever commits sexual assault on a child and makes the child to strip or parade naked in public, is said to commit aggravated sexual assault.

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Section 10. Punishment for aggravated sexual assault. - Whoever, commits aggravated sexual assault shall be punished with imprisonment of either description for a term which shall not be less than five years but which may extend to seven years, and shall also be liable to fine.

Section 11 of Protection of Children from Sexual Offences Act, 2012 :
Sexual harassment. A person is said to commit sexual harassment upon a child when such person with sexual intent,-

- (i) utters any word or makes any sound, or makes any gesture or exhibits any object or part of body with the intention that such word or sound shall be heard, or such gesture or object or part of body shall be seen by the child; or
- (ii) makes a child exhibit his body or any part of his body so as it is seen by such person or any other person; or
- (iii) shows any object to a child in any form or media for pornographic purposes; or
- (iv) repeatedly or constantly follows or watches or contacts a child either directly or through electronic, digital or any other means; or
- (v) threatens to use, in any form of media, a real or fabricated depiction through electronic, film or digital or any other mode, of any part of the body of the child or the involvement of the child in a sexual act; or
- (vi) entices a child for pornographic purposes or gives gratification therefor.

Explanation.-Any question which involves "sexual intent" shall be a question of fact.

Section 12 of Protection of Children from Sexual Offences Act, 2012 :
Punishment for sexual harassment. It says that whoever, commits sexual harassment upon a child shall be punished with imprisonment of either description for a term which may extend to three years and shall also be liable to fine.

9. Let me now sift through the evidence on record :-

PW1, Dulali Mondal [Posted as LHG No.1177 at Hili PS] The witness deposed that on 04.06.2024 she was posted at same place and in the same post. She identified her signature in the seizure list dated 04.06.2024 [**Exhibit-P1/PW1**].

PW2 Prova Barman [Posted as LHG No.670 at Hili PS]. The witness deposed that on 04.06.2024 she was posted at same place and in the same post. She identified her signature on the seizure list dated 04.06.2024 [**Exhibit-P1/a/PW2**].

PW3, 'Y' deposed that on 26.05.2024 at about 12:00/1:00 PM 'A' took VG to his house and naked her and touched her person. At that time there was none in the house of 'A'. The VG returned back home crying condition. At that time VG was aged about 11 years. After returning back the VG narrated the fact to Kaushalya Singh and from there her mother came to know. He came to know the incident at evening and the VG narrated the fact to him that accused

raped the VG. Thereafter, one settlement took place in the locality where accused admitted his guilt. Later on, they went to PS and his wife lodged complaint before PS. He admitted to have been interrogated by police. He identified the accused. In the course of his cross-examination he admitted that their house and house of accused person are in the same locality and that more than 70 families reside in their area. He also replied that in their house there are 10/12 persons like his mother, brother, his family and their family and that in the house of accused he resides with his family like wife, children, grandchildren etc. He admitted that in the same courtyard house of Bahadur Singh, the brother of accused is situated where he lives with his family and the house of Bahadur Singh and accused person are situated in the same compound. He admitted that they are the owner of the land in which Bahadur Singh and accused person are living by constructing their respective houses. He failed to state whether the respective land is recorded in their name in LRROR and the accused person is possessing the same as permissive possessor or not. He also admitted that they asked person and his brother to vacate their land for many times and accused person did not vacate their land. He denied the suggestion that 10/15 days prior to the date of incident there was a dispute regarding the property/land with the accused and his family members. He further replied that at the time of admission of VG to school, he had filed all the relevant papers required for such admission. He admitted that after knowing the fact he along with his wife and para people went to Hili PS. But thereafter stood corrected and replied that he along with his wife went to Hili PS on 3rd.

PW4, 'X' is the defacto-complainant of this case. She deposed that she had lodged a complaint on 03.06.2024 against 'A'. On 26.05.2024, the VG at about 01:30 pm went to the house of 'A' for slice machine of mango. At that time, the VG was aged about 11 years. When VG went to the house of 'A', he took her in his bedroom on the pretext of giving food and at that time there was none at the house. In the bedroom the accused person removed the frock of VG and touched her breast and vagina, licked her vagina and he also inserted his penis in the vagina of VG to some extent. 'A' also gagged

the mouth of VG when she tried to shout. After sometime 'A' left the VG. On the next day Kaushalya Singh informed her that when VG went to the house of 'A' he touched her person and also licked her body. Then she asked the VG and the VG stated about the incident and also stated that on previous occasion also 'A' touched her vagina by his penis and also touched her vagina by his hand. On being asked, VG stated before her that accused asked her not to disclose the fact and also provide her various foods. Out of social harassment, she did not disclose the fact and she did not lodge any complaint. Thereafter, on 01.06.2024 the VG was standing in the varandha of their house and at that time accused 'A' on seeing the VG there, insulted her by his gesture. Thereafter, on 03.06.2024, I lodged written complaint before Police Station. She proved the written complaint [**Exhibit P2/PW4**]. She further deposed that police took one nighty and one pant and duplicate birth certificate of the VG and identified her signature in the seizure list dated 06.06.2024 [**Exhibit P3/PW4**]. She further deposed that she had accompanied the VG to Hospital for her medical examination and identified her signature therein [**Exhibit P4/PW4**]. She also identified the duplicate birth certificate of the VG [**Exhibit P5/PW4** (with objection)]. The witness identified the 'A'. In her cross-examination, the witness replied that 'A's house is intervened by one house from their house. Adjacent to their house, the house of Bahadur Singh is situated and thereafter the house of 'A' is situated. She admitted that at the house of 'A', his family, sons, daughter in laws, grandchildren etc reside. On 26.05.2024, she was at the field and sitting there, which is situated 20 minutes walking distance from their house. She failed to state whether at that time her other family members like her sister-in-law, mother- in-law were present or not. she is found to have admitted that in front of their house, there is pucca road from north to south and that the road is very busy one and people used to take the lane for going towards Kalibari More. She also admitted that there is a mosque opposite to her house intervened by pucca road and house of Nurul Islam is situated adjacent to the mosque and Jadunath's house is situated adjacent to the house of 'A'. She admitted that local Mohammedan people used to go to the mosque for prayer 05 times

in a day. She admitted that their house is situated adjacent to the para road and it is used by her para people and the other people of different para of their area. She replied that there is no house opposite to her house or the other side of the road but there are houses by the side of her house. She replied further that her husband's are two brothers and his brother-in-law has his wife and his father-in-law and mother-in-law are present and they all are residing in the same house. She admitted that the house of one of co-sharer is situated intervened by a ditch from their house. She expressed ignorance about any dispute regarding the property between the accused person and her family members. She categorically replied that she went to the PS on 03.06.2024 and admitted that she did not lodge any complaint before any authority before 03.06.2024.

PW5, D.S deposed that one incident happened with his niece and police came to the house and at that time he had signed on the paper. He identified his signature in the seizure list dated 06.06.2024 [**Exhibit P3/a/PW5**]. He replied in his cross-examination that the defacto- complainant is his own brother. He added that he is living with his brother and sister-in-law in the same house in the same mess.

PW6, Nirmal Singh deposed that he knows the defacto-complainant. He heard that 'A' called the VG and alluring her for food, took the VG to his house and at that time no one was in the house of 'A' and he had also heard that 'A' removed the clothes of the victim girl. He identified 'A'. He replied that his house is situated at a distance of half km from the house of defacto- complainant. He admitted that he goes for his work in the morning and return back in the evening.

PW7, [Victim Girl] 'VG' deposed that the defacto-complainant is her mother. She had lodged a complaint against 'A'. The 'VG' identified the accused through VC. She narrated that on Sunday, 26.05.2024 she went to the house of 'A' for the grater from his house for grating the unripe mango. There she asked for 'kakima' but she was not present. In the mean-time, 'A' came from her back and took her on his lap and took inside their house (bed room). In the bed

room he tied her hand by rope and removed her cloth and inserted his finger in the place of her urinate (vagina). For pain, when she raised movement, he assaulted the 'VG', by holding her hair. Thereafter, he left the 'VG' and she returned back home and laid on bed. Thereafter, on 01.06.2024 'A' threatened the 'VG' by gesture by pointing his finger. Thereafter, she narrated the fact to her mother. Her mother on 03.6.2024 lodged complaint before PS. She stated that as on that day she is aged about 13+ years. Police sent her for her medical examination and she gave her statement before Ld Magistrate. Statement marked as **[Exhibit-P6/PW7]**. She deposed that she was interrogated by police. She admitted that the accused person's house is situated by intervening one house from their house. Her father's are two brothers and they are living in the same house and her paternal uncle has his children. She admitted that before she stated the fact to her mother on 01.06.2024 she did not disclose the fact to anybody and also admitted that before lodging the FIR there was discussion in their house with her parents, uncle etc for the future action. The VG further admitted that before she came to court to state her statement before Magistrate, she went to police station and the police took her to the court. She failed to recollect whether before Magistrate and before police she stated or not that accused inserted his finger in her vagina.

PW8, Mrinmoy Laha is the scribe. He deposed that the written complaint was drafted as per direction and version of defacto complainant. He proved his signature as scribe **[Exhibit-P2/a/PW8]**.

PW9, R.S identified her signature on the seizure-list dated 06.06.2024 and stated that the wearing apparels of the 'VG' was taken by police [pink coloured nighty and red coloured pant] and that police also took birth certificate of 'VG'. **[Exhibit-P3/b/PW9]**.

PW10, SI Subham Kumar Saha is the investigating officer. He deposed that as on the said date he is posted at Hili PS as SI of police. On 03.06.2024, he was posted at the same place and same post. On that day SI Biswajit Barman was the second officer of the PS. He is acquainted with his handwriting and signature as colleague. On that day the said officer received one written complaint. The witness proved the receiving endorsement on the

written complaint [**Exhibit-P2/b/PW10**]. He deposed further that on receiving the complaint Hili PS case 82/2024 dated 03.06.2024 was initiated. He also proved the formal FIR which bears the signature of SI Biswajit Barman [**Exhibit-P7/PW10**]. He was endorsed the investigation of this case. During investigation he sent the VG for her medical examination and prayed for recording the statement of the VG U/s-183 of BNSS and produced the victim before the court for such recording. He placed requisition for recording the statement of VG by lady police officer and produced her for such recording. He visited the PO and prepared rough sketch map and index of the PO [**Exhibit-P8/PW10 & P8/a/PW10**]. He examined the available witnesses; seized vaginal swab of the VG by preparing seizure-list dated 04.06.2024 [**Exhibit-P1/b/PW10**]. He seized the wearing apparels and duplicate birth certificate of VG by preparing seizure-list dated 06.06.2024 [**Exhibit-P3/c/PW10**]. He had sent the seized alamat for RFSL examination and report. He collected the medical report of the victim girl [**Exhibit-P4/a/PW10**]. He also collected the RFSL report [**Exhibit-P9/PW10**]. He prayed for potency test of the accused and after examination collected the report [**Exhibit-P10/PW10**]. After completion of investigation on 08.07.2025, he filed charge sheet being CS No.150/2025 against accused 'A' for offence U/s-6/8/12 of POCSO Act and section 376AB/506 of IPC. He had also filed supplementary charge-sheet on receipt of RFSL report. In his cross-examination the investigating officer replied that he did not enquire about the genuineness of birth certificate and basis of mentioning date of birth on the certificate. He confirmed that the VG during interrogation did not state to lady police officer that accused inserted his finger in her vagina; that 'Y' did not state before him that his daughter narrated the fact to him or that there was a settlement meeting in their area and in that settlement accused admitted his guilt. He admitted that in the formal part of FIR the column 'delay of lodging FIR' kept unfilled.

This is the entire evidence on record.

10. The gamut of the prosecution case revolves around the fact that the 'A' sexually assaulted the minor daughter (VG) of the defacto complainant and at the relevant point of time the 'VG' was 11 years

old.

At the very inception, let me find out whether prosecution could establish the age of the 'VG' with certainty or not. PW4 in the capacity of the guardian of the 'VG' produced a duplicate birth certificate of the 'VG' (Exhibit-P5). Defence tried to assail the said document through the cross-examination of the IO/PW10 to the effect that the IO did not enquire about the genuineness of the birth certificate and basis of mentioning date of birth on the certificate. However, no specific question as to the age of the 'VG' has been put before PW4. PW7/VG specifically stated that as on the date of her testimony i.e., on 03.02.2026, she is 13+ years old. Exhibit-P6/statement of PW7 before Ld. Magistrate U/s-164 of Cr.P.C discloses the fact that as on 05.06.2024 she was a student of class-V. **Thus, gathering information from the aforesaid fact it has emerged that as of the date of the alleged offence, she was 11 years old.** Exhibit-P5/birth certificate has been issued by Sub-Registrar (Birth & Death) District Hospital, Dakshin Dinajpur, Balurghat as per official procedure and the said document discloses that the VG was born on 23.06.2013 at District Hospital and the said fact was duly registered on 04.07.2013. Thus, in the absence of any contrary document, I find no impediment to accept the contention of the prosecution as to the age of the VG. **Thus, the VG being a minor, aged 11 years, the case involving POCSO Act suffers from no infirmity and makes room for prosecution to take into account the provisions involving 'sexual assault' upon minor aged below 12 years of age.**

Now, let me find out how far prosecution has been able to establish its cause so as to shift the onus upon the defence.

PW4 is the defacto complainant of this case as well as the mother of the VG. She deposed that "On 26.05.2024, the VG at about 01:30 pm went to the house of 'A' for slice machine of mango. At that time, the VG was aged about 11 years. When VG went to the house of 'A', he took her in his bedroom on the pretext of giving food and at that time there was none at the house. In the bedroom the accused person removed the frock of VG and touched her breast and vagina, licked her vagina and he also inserted his penis in the vagina of VG

to some extent. 'A' also gagged the mouth of VG when she tried to shout. After sometime 'A' left the VG. On the next day Kaushalya Singh informed her that when VG went to the house of 'A' he touched her person and also licked her body. Then she asked the VG and the VG stated about the incident and also stated that on previous occasion also 'A' touched her vagina by his penis and also touched her vagina by his hand. On being asked, VG stated before her that accused asked her not to disclose the fact and also provide her various foods. Out of social harassment, she did not disclose the fact and she did not lodge any complaint. Thereafter, on 01.06.2024 the VG was standing in the varandha of their house and at that time accused 'A' on seeing the VG there, insulted her by his gesture. Thereafter, on 03.06.2024, I lodged written complaint before Police Station". PW3 is the husband of PW4 and is the father of PW7. He is found to depose that "on 26.05.2024 at about 12:00/1:00 PM 'A' took VG to his house and naked her and touched her person. At that time there was none in the house of 'A'. The VG returned back home crying condition. At that time VG was aged about 11 years. After returning back the VG narrated the fact to Kaushalya Singh and from there her mother came to know. He came to know the incident at evening and the VG narrated the fact to him that accused raped the VG. Thereafter, one settlement took place in the locality where accused admitted his guilt". PW7 is the victim herself. She deposed "on Sunday, 26.05.2024 she went to the house of 'A' for the grater from his house for grating the unripe mango. There she asked for 'kakima' but she was not present. In the mean-time, 'A' came from her back and took her on his lap and took inside their house (bed room). In the bed room he tied my hand by rope and removed my cloth and inserted his finger in the place of her urinate (vagina). For pain, when she raised movement, he assaulted the VG, by holding her hair. Thereafter, he left the VG and she returned back home and laid on bed. Thereafter, on 01.06.2024 'A' threatened the VG by gesture by pointing his finger. Thereafter, she narrated the fact to her mother. Her mother on 03.6.2024 lodged complaint before PS. She stated that as on the day of her deposition she is aged about 13+ years. Police sent her for her medical examination and she also gave

her statement before Ld Magistrate. Statement marked as [**Exhibit-P6/PW7**]. She deposed that she was interrogated by police. She admitted that the accused person's house is situated by intervening one house from their house. Her father's are two brothers and they are living in the same house and her paternal uncle has his children. She admitted that before she stated the fact to her mother on 01.06.2024 she did not disclose the fact to anybody and also admitted that before lodging the FIR there was discussion in their house with her parents, uncle etc for the future action. The VG further admitted that before she came to court to state her statement before Ld Magistrate, she went to police station and the police took her to the court. She failed to recollect whether before Ld Magistrate and before police she stated or not that accused inserted his finger in her vagina".

From the testimony of PW4 the name of one Kaushalya Singh cropped up and defence pointed out that this fact did not find any place in the written complaint. However, turning towards the other facts so deposed by her it emerged that she made enquiry from her daughter and her daughter narrated entire facts before her. PW7 corroborated the claim of saying the entire incidents before her mother. Thus, the factum that the defacto complainant drew her information from the victim itself remains established. Turning towards, the statement of the VG U/s-164 of Cr.P.C., it also appears that she spelt there that she disclosed the facts to one 'kakima' who in turn stated the facts to her 'mother-in-law' and the said mother-in-law stated the facts to PW4. Thereafter, PW4 asked her the entire facts and came to learn the incidents from her. Thus, the version of PW4 remains corroborated to some extent. Why this 'Kaushalya Singh' has not been examined by the IO, is the fallacy suffered due to inaction and prudence of the investigating team and the 'VG' cannot be held responsible, so as to cast away the entire version of the prosecution. Thus, from the testimony of PW3, PW4 and PW7 a consistent version surfaced that on 26.05.2024 the 'VG' had been to the house of the accused person to fetch a grater for cutting mango, and as no one was present at home except the 'A', the 'A' ventured to take the VG to his bedroom and there the accused tied her hand by

rope and removed her cloth and perpetrated sexual assault upon her.

Now, let me find out the gravity of the sexual assault meted upon the VG. No medical officer has been examined by the prosecution. The medical report has been brought into evidence through the IO/PW10[exhibit P4/a]. PW4 admitted her signature in the report [exhibit P4]. The report holds the findings that **“No injury noted in breast, chest/abdomen/upper limbs/thighs, labia majora, labia minora. Hymen healthy, intact on inspection. However, evidence of sexual intercourse cannot be estimated by the hymen condition. Final opinion was reserved for chemical examination”**. Superficial and deep vaginal swabs were collected and wearing apparels were also seized and were sent for RFSL. PW1/LHG No.1177 at Hili PS stated that on 04.06.2024 she was posted at same place and in the same post and identified her signature in the seizure list dated 04.06.2024 [Exhibit-P1]. PW2/LHG No.670 at Hili PS stated that on 04.06.2024 she was posted at same place and in the same post and identified her signature on the seizure list dated 04.06.2024 [Exhibit-P1/a]. The report has been collected and introduced by the IO/PW10 [exhibit P9]. The said report unfolds that **“No semen (no spermatozoon) was detected in the contents of the items marked ‘A’ (vaginal swabs), ‘B’ (nighty) and ‘C’ panty.”** Exhibit 1/b is the seizure-list dated 04-06-2024 vide which vaginal swab so brought by LHG 1177 was seized by the IO/PW10. The incident allegedly lastly occurred on 26-05-2024 and the vaginal swab was collected on 03-06-2024 ie; after seven [7] days from the date of the alleged incident. The wearing apparels of the VG were seized on 06-06-2024. PW5 and PW9 are the uncle and aunt respectively of the VG and are seizure witness and duly identified their signatures in the seizure-list dated 06.06.2024 [exhibit P3/a & P3/b]. Ld Defence Advocate argued that though these witnesses reside in the same mess that of the VG but they did not whisper any such act as alleged, the said fact makes the prosecution case doubtful. Again, it appears that both the witnesses have been cited as a seizure witness and thus no further elaboration has been taken through them by the prosecution. Turning towards the issue of the preservation of the wearing apparels, it can be presumed that the

same has been compromised during this period [26.05.2024 – 06.06.2024] as layman hardly knows the process of holding the articles intact. Thus, the RFSL report adds no value to the prosecution case. Now, the question that arises is whether the medical report will outweigh the version of the VG or not? ***In this context, I rely on the observation of the Hon'ble Supreme Court made in Dinesh Kumar Jaldhari versus State of Chattisgarh [2026(1)PRC14; that "Conviction under POCSO Act can be sustained solely on credible ocular evidence even if medical report does not show injury – Minor inconsistencies or absence of corroborative injuries do not dilute trustworthy testimony of victim and her guardian.***

Thus, the medical report does not tarnish the consistent version of the prosecution witnesses. Thus, the version of sexual assault remains fortified. As said, the claim of inserting penis or finger in the vagina, remains clouded as the VG in her first opportunity did not state about insertion of finger in her vagina by the accused. The IO/PW10 confirmed that the VG during interrogation did not state to the lady police officer that accused inserted his finger in her vagina. Though PW4 alleged that the accused licked the vagina of the VG, but the VG herself deposed no such fact before the Court. The major part of the statement of the 'VG' recorded before the Ld Magistrate remained not reproduced in her testimony as PW7. Thus, though the factum of sexual assault remains established, but the ingredient of aggravated penetrative sexual assault is not well grounded. Thus though the ingredients of 376 AB of IPC has not been fulfilled but prosecution successfully brought on record the criterion necessary to invoke section 354 IPC. Again, the case so far discussed also fulfils the ingredients for offence punishable under section 8 POCSO Act. As stated earlier, as the 'VG' is below 12 years age as on the date of alleged offence, Section 10 POCSO also comes to play. The question may arise that neither charge has been framed under section 354 IPC nor under section 10 POCSO Act and then whether the accused 'A' can be booked for the said offence? The answer is in affirmative. As charges have been framed under sections involving higher penal measures, these

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sections involving lesser degree of punishment can be invoked. Moreover, in case of 'rape' as well as in 'aggravated penetrative sexual assault', the ingredients of 'outraging modesty of a woman' and 'sexual assault' remains embedded. Thus, the character of act charged with does not appear to be distinct and different.

The VG also stated that on 01.06.2024 the accused threatened her by gesture by pointing his finger. Thereafter, the defacto-complainant initiated to file the written complaint. The defacto-complainant/PW4 is found to state that fearing social harassment she did not disclose the fact and did not lodge the complaint. However, she lodged the complaint on 03.06.2024 after the accused again threatened the VG on 01.06.2024. These versions not only explain the delay in lodging the FIR but also the compulsion to bring the factum of sexual harassment of the VG in the public domain.

Thus from the aforesaid discussion, I find no difficulty to hold that the prosecution has duly discharged its onus to establish the factum of sexual assault, sexual harassment and threatening that the 'VG' of 11 years old was subjected to at the hands of the accused person.

Thus, I find no impediment to draw the presumption against the accused as enshrined in Section 29 of the POCSO Act.

The accused in order to rebut the presumption pleaded through cross-examination of the prosecution witnesses that the father and uncle of the VG had strained relation with the accused over property matter and as the accused did not adhere to their proposal, the father of the VG in connivance with other family members hatched the FIR case. PW3 replied in his cross-examination that "It is true we asked accused person and his brother to vacate our land for many times. It is true accused person did not vacate our land". But it is relevant to note that the accused said no such fact in his examination under section 313 Cr.P.C.

Even if, the plea of defence is accepted, the question that arises is whether the family members will play with the modesty of a 11 years girl child coupled with her future reputation to get back a property, which can otherwise be procured by deploying legal means? The existence of inimical relation cannot be said to have proved by

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admission of occupation of land by the 'A' and asking to vacate the same by the father of the 'VG' so as to involve the only child of the complainant to hatch a false case. Moreover, the consistent version of the VG discards such overt act. The contradictions highlighted by Ld Defence Advocate as to the description of the wearing apparel by some witnesses as 'frock' and by some as 'nighty' does not ipso-facto devalues the prosecution case as it is not unknown that each person describes any article or situation as perceived. Ld Defence Advocate stressed another aspect that from the testimony of the prosecution witnesses it evolved that the VG 'went' to the accused person's house. Even if the VG had been to the house of the accused voluntarily, but it does not entitle anyone to step into her modesty. Thus, the contention holds no water. ***Here I place my reliance on the observation made by the Hon'ble Calcutta High Court in Satish Barman versus State of West Bengal & Anr [2026 (1)PRC39] that "Minor inconsistencies in statements of witnesses do not vitiate prosecution when core facts of sexual assault stand proved and presumption under POCSO Act remains unrebutted."***

Thus, the presumption that flows against the accused could not be rebutted by the accused.

11. Hence, considering all the aspects this court holds that prosecution has duly established the facts beyond the shadow of all reasonable doubt and that the accused person namely, Narayan Singh @ Naran is found guilty of offence punishable under sections 506 of IPC and Section 8/10/12 of POCSO Act and be convicted accordingly.

12. Hence, it is -

/O r d e r e d

that the accused person Narayan Singh @ Naran is found guilty for committing the offence punishable under section 506 of IPC read with section 8/10/12 of POCSO Act and is convicted as per provision of section 235(2) of Cr.P.C..

Convict Narayan Singh @ Naran is remanded to judicial custody till 06.06.2026.

The seized alamats, if any, be disposed of in accordance with law, after expiry of the period of appeal.

The Superintendent of BCCH, Dakshin Dinajpur is hereby directed to cause the production of the convict positively on the

date fixed, before this court, for enabling hearing on the point of sentence.

To 06.06.2026 for production of convict and hearing on the point of sentence.

Dictated & corrected by me.

Judge.

Spl. Judge (under POCSO Act)-cum-ADJ,
2nd Court, Balurghat, Dakshin Dinajpur.
(J.O. Code 00836)
04.06.2026

Order Dated. 06.06.2026

13. The convict **Narayan Singh @ Naran** is produced from J/C.

14. Heard the Learned Special P.P.-in-charge, the Learned Advocate for the convict and also the convict personally on the point of sentence.

15. The Learned Special P.P.-in-charge submits that the convict does not appear to be repentant for the offence committed by him and maximum sentence be imposed and added that considering the nature of the offence and the conduct of the convict, the convict deserves no leniency and maximum punishment be imposed.

Ld. Special PP-in-charge also prayed for rehabilitation and compensation for the victim child.

16. On the other hand, the Learned Advocate for the convict submits that the convict is the victim of the circumstances and prayed for mercy and minimum punishment.

17. The convict pleads mercy and stated that he is falsely implicated in this case and prayed for leniency. He also highlighted that he is an aged person and has his family back at home.

18. Considering the nature of the offence, this Court holds the view that this is not a fit case where convict should be released as per provision of **Section- 360 of Cr.P.C. or section 401 of BNSS or Section-3 and 4 of Probation of Offenders Act.**

19. Considering the nature of the offence and the circumstances under which it was committed the benefit of probation cannot be extended.

20. As per section 42 of the POCSO Act sentence of a greater degree is to be awarded. Accordingly, sentence for the offence punishable under section 506 IPC and Section 8/10/12 of the POCSO Act is maintained.

21. Considering the facts and circumstances and that the victim is of 11 years old and the perpetrator is an aged person having done the act in his full consciousness and knowing the result of the same, I am of the view that sentence of 05 years imprisonment and also a fine of Rs.5,000/- for each of the offences U/s-8/10 of POCSO Act will be appropriate; further sentence of 03 years imprisonment and also fine of Rs. 5,000/ will be appropriate for the offence u/sec 12 of POCSO Act; for offence punishable under section 506 IPC sentence for 2 years and fine of Rs. 2,000/- would be proper.

22. The victim child is in custody of her parents and it appears that the victim girl belongs from middle class family who can take care of her and her wellbeing. But the ordeal that society could not safeguard against her, requires some provision for her relief. Thus, considering all aspects, recommendation for compensation of Rs. 50,000/- (rupees fifty thousand) is made for the victim.

23. Hence, it is

O r d e r e d

that Naran Singha is convicted for the commission of offence punishable under section 506 IPC and sentenced to suffer simple imprisonment for a period of two (02) years and to pay fine of Rs.2,000/- in default to suffer simple imprisonment for a further period of one (01) month.

Naran Singha is also convicted for the commission of offence punishable under section 8 POCSO Act and sentenced to suffer simple imprisonment for a period of five (05) years and to pay fine of Rs.5,000/- in default to suffer simple imprisonment for a further period of six (06) months.

Naran Singha is convicted for the commission of offence punishable under section 10 POCSO Act and sentenced to suffer simple imprisonment for a period of five (05) years and to pay fine of Rs.5,000/- in default to suffer simple imprisonment for a further period of six (06) months.

Naran Singha is convicted for the commission of offence punishable under section 12 POCSO Act and sentenced to suffer simple imprisonment for a period of three (03) years and to pay fine of Rs.5,000/- in default to suffer simple imprisonment for a further period of six (06) months.

All the sentences to run concurrently.

The period of detention suffered by the convict in the course of investigation, trial be set off u/s. 428 of Cr. P.C. as per procedure.

The fine amount, if realized, to be paid to the victim girl.

The convict is informed verbally that he has right to appeal and he is entitled to free legal aid. However, he has his Ld Advocate to plead.

Let a copy of this judgment of conviction and order of sentence be served on the convict free of cost at once.

A copy of judgment and order of sentence, be sent to the Secretary, High Court Legal Services Committee and the D.L.S.A., Dakshin Dinajpur, for necessary information.

Copy of finding and order of sentence be sent to the District Magistrate, Dakshin Dinajpur as per Section 365 Cr.P.C.

Defacto-complainant has right to appeal against the judgment and order of sentence before the Higher Authority and they are to be informed about the same through DLSA, Dakshin Dinajpur.

The District Legal Services Authority is recommended to pay compensation of Rs.50,000/ (Rupees Fifty thousand) to the victim towards compensation as discussed above.

Dictated & corrected by me.

Judge.

Spl. Judge (under POCSO Act)-cum-ADJ,
2nd Court, Balurghat, Dakshin Dinajpur.
(J.O. Code 00836)
06.06.2026