

FORM FOR RECORDING DEPOSITION

Special TR No.129 of 2019.

The deposition of Witness No.01 for the prosecution
aged 14 about before Sri Arun Rai, Judge, Spl Court under POCSO Act cum Addl. Sessions Judge,
2nd court, Howrah this 6th day of April, 2022

My name is Mahima Khatun

My father's name is Sk Mabud Ali

My home is at Vill. - Chalk Beldubi, P.O. - Sahapur, P.S. - Panchla

District – Howrah, Occupation : Student.

At present, I am reading in class VIII. The Name of my school is Beldubi High School which is co-education school. I have three sisters and one brother. I am the youngest sister. My brother reads in class II in the same school.

I cannot remember the date of the incident but it was occurred in the year 2019 at our house at about 10 am. But I cannot remember what actually was the cause of incident. However, my mother lodged this case against all the accused persons. Thereafter, I was brought to the hospital for the treatment and I signed therein. The signature of PW1 in the medical examination report is marked as **Exbt.1**.

Thereafter, I was produced before the court and my statement was recorded u/s 164 CrPC by the court and the same is read over and explained to me and I put my signature there. The brown envelope is opened before the court and took out the statement 164 CrPC of PW1. The signatures of PW1 in the two sheets of the statement u/s 164 CrPC are collectively marked as **Exbt.2**.

All the accused persons are present before the court (identified).

XXMN

I cannot remember the fact of the incident at present. Further I cannot recollect the contents of the medical report where I signed. Similarly, I cannot remember the statement what I stated before the officer of the court. In fact, I do not know the fact of the incident and I have no personal knowledge about it.

(concluded)

Judge, Spl Court under POCSO Act cum
Addl. Sessions Judge, 2nd Court,
Howrah, 06.04.2022.

FORM FOR RECORDING DEPOSITION

Special TR No.129 of 2019.

The deposition of Witness No.02 for the prosecution
aged 40 about before Sri Arun Rai, Judge, Spl Court under POCSO Act cum Addl. Sessions Judge,
2nd court, Howrah this 6th day of April, 2022

My name is Minera Begum

My husband's name is Sk Mabud Ali

My home is at Vill. - Chalk Beldubi, P.O. - Sahapur, P.S. - Panchla

District – Howrah, Occupation : Housewife.

I am the mother of PW1. I lodged a complaint before local PS. I cannot remember the date of the incident but it was occurred in the year 2019 at our house at about 10 am. In fact, one misunderstanding was occurred with my husband over domestic issue. This is the complaint I lodged before the police station and this is my signature therein. The signature of the PW2 in the written complaint is marked as **Exbt.3**.

One paraman had written the said complaint as per my version. Thereafter, my daughter was brought before the Howrah District Hospital for her medical examination and I put my signature in said medical paper and the signature of PW2 in the medical paper is marked as **Exbt.1/1**.

Police seized the birth certificate of PW1 in my presence and I put my signature therein. The signature of PW2 in the seizure list dt. 24.1.19 is marked as **Exbt.4**.

This is the birth certificate of PW1 relating to said seizure list which is marked as **Mat Exbt.I**

Police also seized the wearing apparels of PW1 in my presence in term of seizure list dt. 28.11.19 and the signature of PW2 in said seizure list is marked as **Exbt.5**.

All the accused persons are present before the court (identified).

XXMN

I cannot remember the fact of the incident at present. Further I cannot recollect the contents of the written complaint where I signed. In fact, I filed this case out of misunderstanding and I cannot remember what was the cause of it. In fact, I signed blank paper when birth certificate of PW1 and the wearing apparels of her were sized and so I cannot remember the contents of the seizure lists where I signed. Today I did not see any those wearing apparels of PW1 seized before the court. The matter of fact is that due to the instigation of local para people, I filed this case against all the accused persons but I cannot remember at present who were those para people.

Not a fact that I deposed falsely.

(concluded)

Judge, Spl Court under POCSO Act cum
Addl. Sessions Judge, 2nd Court,
Howrah, 06.04.2022.

Order no.02 dt.07.04.22.

Today is for appearance of the accused and evidence.

Accused Subhankar Pal is present by filing hazira.

PW1 VG Sanchita Roy, PW2, Sanjit Roy, father of VG and PW3 Pampa Roy are examined and cross examined and discharged. During examination, signature of PW1 in medical report, signatures of PW1 on statement u/s 164 CrPC, signature of PW2 in the written complaint, signature of PW2 in medical report, signature of PW2 in seizure list dt.24.1.19 and signature of PW2 in seizure list dt.28.11.19 are marked as Exbt.1, Exbt.2, Exbt.3, Exbt.1/1, Exbt.4 and Exbt.5 respectively as well as birth certificate of PW1 is marked Mat Exbt.I.

Ld advocate for defence files an application for returning the original Birth Certificate of the VG.

Let the original Birth Certificate be returned to the petitioner after verifying the same with the xerox one and marked the xerox document as exhibited document with direction to the petitioner to submit the said document before the court as and when requires.

Fix 04.05.22 for appearance, u/s 313 CrPC, argument and judgment.

Judge, Special Court under POCSO Act-cum
Addl. Sessions Judge, 2nd Court, Howrah.

4.5.22