

Special Case No.35/2024

S.T. No.24/2024

Present : Shri P C Karmakar (WB00651)

Judge, Special Court,

Alipurduar.

Order No.09

dt.12.06.2024.

Accused Phurba Lama @ Ajay Lama is produced from J/C and remanded to J/C till next date.

Today is fixed for production and charge.

Learned Advocate for the accused is present.

Ld. Special P.P for the State is also present.

Heard both sides.

Now, the case record is taken up for consideration of charge.

Perused the materials on record as well as on C.D.

Considered.

It reveals to me that there is every reason to believe that the accused person has committed offence punishable u/s 328/342 IPC r/w Section 6 of POCSO Act which this Court is competent to try and which will be adequately punished by this Court and within cognizance of this Special Court.

Hence, charge u/s. 328/342 IPC r/w Section 6 of POCSO Act is framed against the accused person.

The charge so framed is read over and explained to the accused person in Bengali to which he pleaded not guilty by saying “Ami nirdosh” and claimed to be tried. The charge so framed is written in a separate printed form and be kept in the record.

Fix **16.08.24** for evidence of the victim girl.

17.08.24 for evidence of the complainant.

Issue summons accordingly.

At this stage Ld Special P P by filing a petition u/s 311 Cr P C praying for citing the VG as witness as IO did not insert the name of the VG in the charge sheet as witness.

Heard. Considered.

In my considered view the evidence of VG is highly required for just decision of the case. Accordingly, prayer is allowed and Prosecution is hereby permitted to summon the VG as witness in this case.

Dictated & Corrected
by me ;

Judge, Special Court,
Alipurduar.

Judge, Special Court,
Alipurduar.