

IN THE COURT OF THE ADDITIONAL SESSIONS JUDGE,
FAST TRACK 2nd COURT, LALBAGH, DISTRICT- MURSHIDABAD.
S.SL. - 35/2019.
S.T. No. - 6(April)/2019.

CHARGES WITH TWO HEADS
[No. XXVIII (II) SCHEDULE V, ACT V, 1898]
(Sections 221,222,223 Code of Criminal Procedure)

1. Name and office of Magistrate & c, I, ¹ Sri Nilanjan De,
Additional Sessions Judge,
Fast Track 2nd Court,
Lalbagh, Murshidabad.

2. Name of accused person. Hereby charge you ² 1) Hefjul Sk.
as follows ---

3. Cognizance of this Court of Session. Firstly - That you on promise of marry had been cohabiting with Sahanaj Bibi D/O Aminul Sk. and W/O Rakibur Sk. of village Media Para, P.O. Bansh Gara, PS Lalgola, Dist. Murshidabad since one year and two months at her husband's house and for that cohabitation she became pregnant but, later you refused to marry her and by this way you cheated her fraudulently and that you thereby committed an offence punishable U/S 417 of the IPC and within ³ the cognizance of this Court.

Secondly – That you on 10.09.2010 at about 12 midnight on promise of marry committed rape upon Sahanaj Bibi at her husband's house and that you thereby committed an offence punishable U/S 376 of the IPC and within ³ the cognizance of this Court.

4. In case tried by Magistrates omit "by the said Court". And I hereby direct that you be tried ⁴ by the said Court on the said charge.

Contents of charge is read over and explained to the accused in Bengali language to which he/they pleaded not guilty and claimed to be tried.

Date : 12.04.2019.

Additional Sessions Judge,
2nd Fast Track Court,
Lalbagh, Murshidabad.

IN THE COURT OF THE ADDITIONAL SESSIONS JUDGE,
FAST TRACK 2nd COURT, LALBAGH, DISTRICT- MURSHIDABAD.

Present : Shri Nilanjan De
Additional District & Sessions Judge,
Fast Track 2nd Court, Lalbagh, Dist. Murshidabad.

S.SL. Case No.35/19 (S.T. No. 6(4)/2019)

State -v/s- Hefjul Sk. ...Accused person.

Order No.1, dated 12.04.2019.

Today the case is fixed for charge hearing.

Sole accused person namely Hefjul Sk. on CB is present by filing hazira.

Learned PP in-charge Mr. Pulak Mukherjee and learned defence counsel Md. Sariful Haque are present. Considering the C.D, L.C.R and on submission of the Advocates both sides the charge hearing is taken place in open Court.

Heard the Ld. P.P.-in-charge and Ld. Defence counsel.

Perused the case record including the charge sheet.

The case record is taken up for framing of charge.

On careful perusal of the materials on record, it appears that the accused person on promise of marry had been cohabiting with Sahanaj Bibi D/O Aminul Sk. and W/O Rakibur Sk. of village Media Para, P.O. Bansh Gara, PS Lalgola, Dist. Murshidabad since one year and two months at her husband's house and for that cohabitation she became pregnant. Then the victim requested the accused repeatedly for marry but, the accused did not marry her and on 10.09.2010 at about 12 midnight you cohabited with the victim and stated her that from today you had no relation with her.

So, prima-facie, there is ground to frame charge against the accused person for committing the offence punishable u/s- 417/376 of the I.P.C.

Accordingly, charge is framed against the accused person for offence punishable u/s. 417/376 of the I.P.C. in separate sheet which is kept with the case record.

The contents of charge is read over and explained to the accused. On being asked whether he pleads guilty, or not, the accused person pleaded not guilty by saying in Bengali, "ami nirdosh" and claimed to be tried.

Considering the charge hearing the case be fixed on 2nd, 3rd and 4th days of July, 2019 for evidence.

Prosecution to take steps accordingly for issuing summons upon witnesses.

Accused person be and as before.

Addl. Sessions Judge,
FTC-2, Lalbagh, Murshidabad.