

Spl (POCSO) 1/16
CHARGE WITH FIVE HEAD
[No. XXXII, Schedule II, Act. 2, 1974]
(Sections 211,212, 213, Code of Criminal Procedure.)

- 1) Name and office of Magistrate, &c
2) Name of accused persons
3) State the offence.
4) My cognizance/ cognizance of this court of Sessions
- I ⁽¹⁾, Sri P. Datta, Judge, Spl(POCSO) Court Basirhat, North 24 Parganas , hereby charge you ⁽²⁾,
- 1) Jel Haque Mondal
- Firstly, that you, on or about the 02.12.2016 6.00 P.M in the evening at village Paschimbena , P.O Bena , under PS-Baduria , Dist North 24 Parganas , committed house-trespass of de facto complainant by entering into(or remaining in) the building in the possession of and used as a human dwelling(or place of worship or custody of property) with intent to cause mischief , sexual assault **and that you thereby committed an offence punishable under section 448 of Indian Penal Code** and within⁽⁴⁾ the cognizance of this court.
- Secondly you, on or about the on or about the 02.12.2016 6.00 P.M in the evening at village Paschimbena , P.O Bena , under PS-Baduria , Dist North 24 Parganas , used criminal force upon the victim girl with the intention of disrobing her **and that you thereby committed an offence punishable under section 354B of Indian Penal Code** and within⁽⁴⁾ the cognizance of this court.
- Thirdly that on or about 02.12.2016 6.00 P.M in the evening at village Paschimbena , P.O Bena , under PS-Baduria , Dist North 24 Parganas , committed criminal intimidation by threatening the minor victim girl with dire consequences and that you thereby committed an offence punishable under **Section 506** of the Indian Penal Code, and within⁽⁴⁾ the cognizance of this Special Court.
- Fourthly, that you, 02.12.2016 6.00 P.M in the evening at village Paschimbena , P.O Bena , under PS-Baduria , Dist North 24 Parganas in the house of de facto complainant attempted to commit rape upon the victim girl that you thereby committed an offence punishable under **Section 376/511 of Indian Penal Code**, and within⁽⁴⁾ the cognizance of this Special court.
- Thirdly , that you,on 02.12.2016 6.00 P.M in the evening at village Paschimbena , P.O Bena , under PS-Baduria , Dist North 24 Parganas , committed aggravated sexual assault upon minor victim girl ,aged 12 years and that you thereby committed an offence punishable under **Section 10** of Protection of Children from Sexual Offences Act, 2012, and within⁽⁴⁾ the cognizance of this Special court.
- 5) In case tried by Magistrates omit "by the said Court"
- And I do hereby direct that you be tried ⁽⁵⁾ by this Court on the said Charge. The substance of accusation punishable under Sections 448/354B/376/511/506 of Indian Penal Code & sec. 10 of POCSO Act are read over and explained to the accused person in Bengali to which he pleads not guilty by saying "Nirdosh" and claims to be tried.

Dated this 27th day of February , 2023

Judge, Spl Court (POCSO Act)
Basirhat,North 24 -Parganas **J.O Code : WB 00894**

31/27.02.2023

Sole accused Jel Haque Mondal is present on C.B by filing hazira.

Ld. Adv. for the accused and Ld. Spl P.P is also present.

Today is fixed for framing of charge.

Heard both sides. Perused C.D and other materials on record.

Prima facie it appears that the accused has committed offence u/s 448/354B/376/511/506 IPC and u/s 10 of POCSO Act.

Hence, charge under the above sections are framed against the accused .

The contents of charge is read over and explained to the accused to which he pleads not guilty and claimed to be tried.

Fix 22-02-2021 for evidence of C.S.W -1(De facto complainant) .

Issue summons accordingly .

D/C by me

Judge, Spl Court (POCSO Act)

Judge, Spl Court (POCSO Act)
Basirhat, North 24 -Parganas
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