

IN THE COURT OF DISTRICT & SESSIONS JUDGE; MIZORAM, AIZAWL

BEFORE

Mrs. Lucy Lalrinthari

District & Sessions Judge

Aizawl Judicial District, Aizawl

Sessions Case No.146 of 2016; Criminal Trial No.1274/2016 u/s 307/326

IPC

Ref: Kulikawn PS C/No.44/2016 dt.3-4-2016

State of Mizoram

Vrs

Vanlalchhanhimi Sailo D/o Ralngamthanga of Tlangnuam Vengthar,
Aizawl - Accused

PRESENT

For the Prosecution : Mrs. K.Lalremruati, Ld.Addl.PP &
Mr.H.Lalmuankima, Ld.Addl.PP.

For the Accused : Smt. Lalramnghaki, Ld. Counsel.

ORDER

1. The prosecution story of the case in brief is that on 3.4.2016 @ 8:50 pm a written FIR was received from C. Malsawmkima of Tlangnuam Vengthar to the effect that on 3.4.2016 evening his wife Vanlalchhanhimi had assaulted him with Dao(Machete) at Tlangnuam Vengthar at the residence of Pi Dini and hit him on his head with Dao attempting to kill him. Hence, Kulikawn PS C. No. 44/16 dt. 3/4/16 u/s 307/326 IPC was registered and duly investigated into.

2. During the course of investigation, the complainant was examined and his statements recorded, the PO was visited and thoroughly examined drawing a rough

sketch Map of it, one dao 1 feet and 6 inch which was used by the accused which attacking the victim (her husband) was seized from the PO in the presence of reliable witnesses. Two witnesses namely C. Lalfakawma (19) S/o C. Lalzarliana of Champhai Vengsang P/A Tlangnuam Vengthar and Vanlalmachhuana (19) S/o Zonunsanga (L) of Champhai Vengsang P/A Tlangnuam Vengthar were examined and their statement recorded.

3. The accused Vanlalchhanhimi (47) D/o Ralngamthanga of Tlangnuam Vengthar was arrested and thoroughly interrogated, she admitted that on 3/4/16 evening she had attacked her husband C. Malsawmkima (victim) with Dao and inflicted severe injuries upon him. Hence a prima facie case U/s 307/326 IPC is found well established against her. Having found a prima-facie case against accused Vanlachhanhimi Sailo the case I/O submitted charge-sheet against her.

4. As per section 207/208 of Cr.P.C all Police reports and its connected documents are furnished to the accused and the accused submitted vakalatnama in favour of Advocate Smt. Lalramnghaki which is accepted.

5. At the time of opening of the case, it was revealed that the husband of the accused C. Malsawmkima was a habitual drunkard and on this evening of 3.4.2016 the complainant in his drunken mood almost killed his wife accused by strangling on her throat with his two hands. His wife the accused, in order to defend her life caught hold of the nearest object and hit at her husband. However, as the accused and the complainant are wife and husband, the incident did not caused any separation between them, they continue to live normally in the same house as the incident is caused due to the drunken behavior of the husband. The complainant-husband had no grudge against his wife- accused and hence in my opinion there is no ground to proceed further with the case.

6. Therefore accused Vanlalchhanhimi Sailo is discharged from the charged section and set at Liberty.

Given under my hand and sealed of this court today 24th day of November 2016 in the court hours.

Give copy of this order to all concern.

Sd/-LUCY LALRINTHARI
District & Sessions Judge,
Aizawl Judicial District,
Aizawl, Mizoram.

Memo No: _____/D&SJ(A)/2016 :Dated Aizawl the 24th November, 2016

Copy to:-

1. Vanlalchhanhimi Sailo C/o Smt. Lalramnghaki, Advocate.
2. Mrs. K.Lalremruati, Ld. Addl.P.P.
3. DSP Prosecution.
4. O/C Kulikawn P/S.
5. In charge, Judicial Section.
6. Case record.
7. Guard file.

PESHKAR