

IN THE COURT OF ADDL. DISTRICT & SESSIONS JUDGE-I  
AIZAWL JUDICIAL DISTRICT, AIZAWL.

Sc No.31/2015  
A/O CrI.Tr.No.470/2015 U/S 436 IPC

State of Mizoram : Complainant

Vrs

J.Malsawma : Accused.

BEFORE

Vanlalmawia  
Addl District & Sessions Judge,

PRESENT

For the Opposite party : R. Lalremruata, Addl. P.P.

For the Accused : Lalremtlunga, Advocate.

Date of Order : 26.3.2015

ORDER

Accused J.Malsawma, S/o J.Sangmawia is produced from judicial custody. Today is fixed for opening the case.

Ld. Addl.P.P submitted that there is sufficient ground to proceed with the case against accused and prayed to frame charge against him under the charge section.

On the other hand ld D/L Lalremtlunga objected the prayer of the prosecution and submitted that there is no material evidence against. The accused and prayer to discharge the accused.

- 1) That from the statement of accused, recorded by the I/O, the accused poured kerosene oil on the floor and rubbed with waste paper/cotton to clean the said floor.
- 2) That there can be no incriminating evidence against the accused even if the case is proceeded any further.
- 3) The accused stayed in his father's building and there is no reason to sit the house at fire.

- 4) There is no material evidence that the prosecution has to prove against the accused even if charge is framed against the accused.

Perused the record, heard the accused and I am of considered view that the submission of by D/L is convincing on the ground that incriminating evidence against accused has not been collected by the investigating officer during the course of investigation. it also appeared that the accused has not acted in the manner punishable u/s 436 IPC and accused is discharged in the interest of justice.

Accused J.Lalmalsawma is hereby discharged and he should be set at liberty forthwith unless she is wanted in connection with other case.

With the above order, the case stands disposed of.

S/A if any be destroyed.

Give copy of this order to all concerned.

VANLALMAWIA,  
Addl. District & Sessions Judge-I,  
Aizawl Judicial District, Aizawl.

Memo No \_\_\_\_/AD&SJ-I(A)/2015 : Dated Aizawl the,26<sup>th</sup> March 2015.

Copy to :-

1. District & Sessions Judge, Aizawl.
2. J.Malsawma C/o Lalremtlunga Advocate.
3. APP/Addl.PP.
4. Spl.Superintendent Central Jail,Aizawl.
5. Judicial Section
6. Case record.
7. Guard file.

PESHKAR