

**IN THE COURT OF THE ADDITIONAL SESSIONS JUDGE
AIZAWL JUDICIAL DISTRICT : AIZAWL.**

PRESENT

Smt. Helen Dawngliani
Addl. District & Sessions Judge

SR No.12/2012
In Crl.Tr. No.1578/2011
U/s 376(2)(f) IPC

Ref :- Vaivakawn PS Case No. 82/2011 dt.17.7.2011 u/s 376(2)(f) IPC

State of Mizoram

Versus

Lalrammawia	.....	Accused
Date of hearing	.....	26.03.2014 & 10.04.2014
Date of Judgment	.....	24.04.2014

A P P E A R A N C E

For the Prosecution	.....	Mrs. Rose Mary, Addl. PP
For the Accused	.....	Mr. S.L. Thansanga, Advocate

J U D G M E N T & O R D E R

1. The prosecution story of the case in brief is that on 17.7.2011 one Lalramthari R/o Hunthar veng, Aizawl lodged a written FIR at Vaivakawn Police Station wherein she stated that on 16.7.2011 @ 10:00am she had gone to the market leaving behind X 8years and her younger sister Lalzarzovi 4 years at home. While she was away, Lalrammawia 29 years S/o Engzauva of Hunthar veng tried to have sex with her elder daughter by sleeping with her on the bed and they feel that he actually had sexual intercourse with her.

On the basis of the said information, Vivakawn P.S Case No.82/2011 dt. 17.7.2011 u/s 376(2)(f) IPC was registered and investigated into. Upon completion of investigation, having found prima facie case against the accused Lalrammawia for the offence punishable u/s 376(2)(f) IPC Charge sheet was laid against him and committed for trial.

The name of the prosecutrix is withheld in the Judgment and she is referred with the letter 'X'.

2. Copy of the Police Report and all connected documents were delivered to the accused.

3. As the accused did not have the means to engage a counsel on his own, Mr. SL Thansanga, Advocate was assigned to defend the accused at the State expense u/s 304 Cr.P.C.

4. Charges u/s 376(2)(f) IPC was framed against the accused. The charge was read over and explained to the accused in the Mizo language which is known to him to which he pleaded not guilty and claims for trial.

5. POINT(S) FOR CONSIDERATION:-

Whether the accused had sexual intercourse with X amounting rape as defined u/s 375 IPC and the accused thereby guilty of the offence punishable u/s 376(2)(f) IPC?

6. The prosecution examined 9 witnesses. Accused was examined u/s 313 Cr.P.C two witnesses for the defence were also examined. The Ld. Counsels are heard.

Mrs. Rose Mary, the Ld. Addl. PP submitted that from the manner the prosecutrix narrated the story it is clear that the accused had done wrong upon her and it has also come in evidence that the prosecutrix was scared of being scolded by her parents. She was also threatened by the accused who was teaching her in Sunday School. According to the Ld. Counsel, PW/V.Vanlalruati has done studies on child abuse and the statement of the said witness regarding the behavior of X is trustworthy. The Ld. Counsel submitted that an offence of rape can be legally committed even with the hymen remaining intact. She therefore submitted that even though there may not be medical finding to support their case, the other evidence are sufficient to find the guilt of the accused. The Ld. Counsel therefore prays to convict the accused for the offence punishable u/s 376(2)(f) IPC.

On the other hand, Mr. S.L. Thansanga, the Ld. State Defence Counsel submitted that the statement of PW No.2, the complainant is not reliable. In this regard, the Ld. Counsel submitted that doubt which arises from the statement of the said witness is that the prosecutrix did not disclose about the alleged incident until a couple of days after the FIR was lodged, in her examination-in-chief she stated that the Police seized the birth certificate of her daughter but in the cross examination she stated that they do not have the birth certificate of her daughter. Further, the said witness stated that her daughter was taken to one activist but during cross-examination, she stated that she was brought to one of the leaders of MHIP who had taken up a campaign on protection of children about a month before. Turning to the statement of the prosecutrix (PW No.3), the Ld. Counsel submitted that the said witness deposed that the accused penetrated his male organ into her private part inside her house but on cross-examination, she stated that the accused did not penetrate his male organ into her private part. She further stated that her mummy told her to depose in the manner she had deposed, when re-examined by the Ld. Addl.PP she stated that she does not remember whether the

accused tried to penetrate his male organ. Turning to the medical evidence, PW No.4 who is the medical officer stated that the hymen was intact but there was redness around the clitoris. However, the medical officer stated that the mother of X stated that the redness had been there for the past five years. Regarding the statements of PW's C.Lalthanpuui and Melody Darthangpuui, the Ld. Counsel argued that they are hearsay evidence and that their statements are clearly contradictory to the statement of the prosecutrix. Turning to the evidence of PW No.6 & 7 who are Officers in the Integrated Child Protection Scheme and Lecturer in Child Rights Protection Cell (SCERT) respectively, the Ld. Counsel submitted that their testimonies are hearsay and touching academics and therefore does not have much evidentiary value. The Investigating Officer who was examined as PW No.8 admitted that according to the medical doctor, the hymen was intact, the accused did not admit his guilt and that the charge sheet was written by literate Constable Vanlaldiki. The Ld. Counsel argued that the evidence of the two defence witnesses corroborate with one another. They saw the accused carrying the crying baby inside the house and her sister followed them, both of them stated that there was no time to sexually molest the child as alleged, their evidence is trust worthy because the little sister followed them. For the aforesaid grounds, the Ld. Counsel submitted that the prosecution has failed to prove the guilt of the accused and prays to acquit the accused accordingly.

7. DISCUSSION, DECISION AND REASONS THEREOF:-

The evidence adduced by the prosecution witnesses may be briefly highlighted:-

PW No.1/ Sarah Remruatpuui stated that the prosecutrix told her that while she (prosecutrix) was with her sister Zari who was crying and sitting on the steps, the accused came and took her to her house and told her to suck his male organ and if she disobeyed him he will stop taking good care of her. At that time, the adult members of their family were not at home. In her cross-examination, she stated that she told the Police that her knowledge is the same as Darpuui and Puipuii.

PW No.2/Lalramthari is the mother of X and the informant. She stated that X was born on 25.10.2002. She stated that on one Sunday she had gone to visit Lalhmaa. In the said house, the elder sister of her daughter's friend was also there and she told her what she heard about the incident of the previous day and that when she tried to talk to X she brushed it aside as a joke. On their way back home, she asked about it to her daughter but she did not give proper disclosure apart from saying 'yes or no' to her questions. Then she asked Mamuani who was closed to her daughter to talk to her daughter. Mamuani suggested that they should go to an

activist at Chawnpui. When they went there, the woman (activist) took her daughter separately but later told them the statement of X to her and advised them to approach the Police. So they went to Vaivakawn PS and her verbal information was reduced into writing. She also stated that the accused was the teacher of her daughter in Sunday School. She exhibited the FIR as Ext.P-1 and her signature as Ext.P-1(a). The Birth Certificate of X as Ext.P-2. In her cross examination she stated that Feli is the name of her daughter's elder sister and Feli said to her, "*Nu Thar nimin khan X in kan sir pa in min awmpui a ti a, ka ngaih a tha lo a ka ko chho a ka zawt a, fiamthu vek ania a ti a a nui a a kal thla leh a*" meaning yesterday X stated that she was sexually molested/assaulted by her teacher, having some doubt I called her and when I asked her she said it was a joke and smiled and went back. She also admitted that on Sunday her daughter did not make much disclosure but stated that the accused removed her underpant. She admitted that she and Mamuani took X to one of the leaders of MHIP because during those days the MHIP was taking up a campaign for protection of women and children from sexual abuse. She admitted that her daughter made a full disclosure to her only after FIR was lodged. She also stated that they do not have the Birth Certificate of her daughter issued by the Government.

PW No.3/X is the prosecutrix. She identified the accused and stated that he used to teach her in Sunday School. She stated that she was born on 25.10.2002 and that her close friends are Sarah, Dari and Puipuii. She stated that she cannot recollect the incident and how the incident occurred but knows that she stated something to Sarah and also remember that the accused penetrated his male organ into her private part inside her house. She further stated that at that time, she was at home with her younger sister and her mother had gone to the market, her father was out of station and her maternal uncle was away for his work as a driver. She did not tell her mother immediately for fear of being scolded instead she told her friend Sarah. Later when her mother learnt about it, she asked her but she did not say anything and her mother asked some person to make her speak. In her cross examination she stated that on the date of the incident she was at home with her younger sister, there is only curtain partition to their bedroom. She did not see the penis of the accused and the accused did not penetrate his male organ into her. She further stated that her mummy told her to depose as she did. She denied the suggestion that the accused did not try to penetrate his male organ into her private part. On re-examination by the Ld. Addl. PP, she deposed that she does not remember whether the accused tried to penetrate his male organ, her mother told her speak out whatever she knows and she did not tell her to lie.

PW No.4/Dr.Lalramengi stated that on 17.7.2011 she examined X @ 9:00pm at Civil Hospital, Aizawl on the basis of requisition made by the Police. She stated that the victim was physically and mentally sound. Her secondary sexual characters have not developed. Her hymen was intact but there was redness around her clitoris but she was informed by the mother of X that the redness had been there for the past five years. The witness further stated that X did not sustain injuries on her genital organs. The witness exhibited the medical examination report of the prosecutrix as Ext.P-3 and her signature as Ext.P-3(a).

PW No.4/ C.Lalthanpuui is a friend of X and she stated that she knew X by her nickname. She identified the accused and stated that they belong to the same locality. She stated that while she was in the house of Sarah, X came and told her that she wanted to tell her something and took her to the toilet. Sarah and Darthangpuui also came to the toilet. X stated that while she was trying to pacify her younger sister Zari who was crying on the roadside, the accused came and took them to their house. He made Zari sit and carried her inside the bedroom where the accused removed his underpant and took out his male organ and told her to suck it. The accused also stated to her that if she disobeyed him he will stop taking care of her and so she obeyed the accused and that the accused sexually assaulted her (min ti). She told them not to tell anyone because she was scared of the accused. However, she told her sister Lalruatfelu what she heard from X. In her cross examination she denied the suggestion that X did not tell her that she was sexually assaulted by the accused, she cannot explain the true meaning of “min ti”. She did not check the private part of X. She denied that X is a habitual liar, she stated that X is originally from Manipur.

PW No.5/Melody Darthangpuui identified the accused and stated that X is her cousin sister and younger than her. She further stated that while she was playing house house with her friends the prosecutrix came to them with her younger sister. She called her to the bathroom and did not allow her younger sister enter the bathroom. Inside the bathroom X told her that her sister Zauvi was crying on the roadside and at that time, the accused came and carried her and held the hand of Zarzovi and took them to their house. X stated to her that the accused made her sit, spread her legs and touched her private part. She further stated that the accused thereafter took her to the bedroom, made her lie down and said ‘min ti’ (meaning sexual intercourse). X also stated to her that the accused tried to make her suck his male organ and when she resisted he said he will stop taking care of her. X also stated that her younger sister Zarzovi peeped off and on and while she was peeping, the accused would remove his male organ. She stated that at that time her parents were not at home. The witness further stated that she has not come

across X telling lies. In her cross-examination, she stated that she did not see the incident but only heard about it from X. She admitted the suggestion that X used to tell lies jokingly but denied the suggestion that X was lying about the incident jokingly. She admitted the suggestion that she was told by the parents of X of what to say in the court but clarified her statement in re-examination by stating that she has not been told to lie by the parents of X.

PW No.6/ B.Lalhmingmawii is the Project Officer in the Integrated Child Protection Scheme under the Child Protection Society which is part of the Social Welfare Department. On 7.7.2011 which was a Sunday she received a phone call in the evening from the Secretary CPD telling her that a rape victim was with Pi.Maruati(Educator in the SCERT) at Chawnpui and to go there and that the caller will wait for them in the CAW Cell at Aizawl PS. So she went to Pi.Maruati at Chawnpui. The prosecutrix was there with other people and she took them to CAW Cell, Aizawl PS. They gave verbal information and X was forwarded for medical examination. The prosecutrix told her that the accused carried her inside the bedroom while her parents were away, he laid her on the bed, removed her underwear and introduced his male organ but not for long and that the accused told her not to say anything to her parents. The witness stated that written FIR was lodged after medical examination of X. In her cross-examination, she stated that Maruati is not a resident of Chawnpui, she had gone there for dinner. She accompanied X at the time of medical examination but did not go inside the room where X was examined. She denied the suggestion that X did not tell her anything about the incident.

PW No.7/V.Vanlalruati is Lecturer i/c Child Rights Protection Cell at SCERT Aizawl. She stated that on 17.7.2011 @ 6:00 pm she received a phone call from the mother of X regarding the incident. At that time, she was in Chawnpui locality to have dinner. She called them to the said place. After she spoke to X, X was fully exhausted and lied down on the lap of her mother. Having done some studies on child abuse, from the behavior of X she could make out that she was greatly affected by the incident and that she was speaking the truth. She made a phone call to Child Rights activist from Centre for Peace and Development who sent their workers to them and took them to the Police Station. In her cross examination she denied the suggestion that as she is deeply concerned with child rights she readily takes even minor complaints seriously. She admitted that the prosecutrix only stated to her that the accused took her to their bedroom, removed her underpant and penetrated his male organ into her private part. She also admitted the suggestion that when the prosecutrix lied down on the lap of her mother she did not ask her if she was exhausted. She denied the suggestion that the

prosecutrix could have been tutored by her mother or any other interested person. She admitted the suggestion that she did not ask the prosecutrix and her family why they left their locality. She accept that persons with good characters are usually taken as Sunday school teacher but there are always exceptions.

PW No.8/SI H.Lalhmingthangi is the Investigating Officer. She stated that FIR was lodged at Vaivakawn PS on 17.7.2011 by Lalramthari and that she was endorsed to investigate the matter by Officer-in-Charge of the said PS. During investigation, she visited the place of occurrence, examined the victim and other witnesses. She forwarded the prosecutrix for medical examination and obtained the original birth certificate of X and after making a photocopy returned the original to her family. She arrested the accused and forwarded him for medical examination. She interrogated the accused and recorded his statement. She exhibited the charge sheet as Ext.P-4 and her signature as Ext.P-4(a), copy of the birth certificate of X as Ext.P-2. In her cross examination she stated that the brief facts of the case in the charge sheet was written by literate Constable Vanlaldiki but that Constable have not been included as Prosecution witness she also admitted in the brief history of the case there is no mention about the accused having sexual intercourse with X because the accused denied the allegation during interrogation. She accepted that the finding of medical examination report is that the hymen was found intact. She also stated that she did not include the author of Ext.P-2 as witness, she did not obtain birth certificate as they did not have.

7. The accused in his examination u/s 313 Cr.P.C denied the charge but stated that as they were his Sunday school students he took them home and told them not to fight and thereafter he left their house.

8. At this stage, the evidence adduced by the defence may be briefly discussed:-

DW No.1/Lalbiakengi is a resident of Hunthar Veng and knew the accused and X. She stated that either on 15th or 16th July, 2011 in the afternoon she went to Company Peng to buy vegetables. She saw the accused on the roadside near the house of X and he carrying a baby who was crying and X was also near them. Three of them went to the house of X. She went ahead to Company Peng and from the place where she was, she could see the accused dropping the kids in their house and coming back towards the street. On her way back, she saw the accused in front of his house which was on the way to her house. On her return, she saw the accused coming up the steps leading towards the house of X. The distance between the house of X and the junction where she purchased vegetables must be barely 10 paces away and as such she presumed that the accused could not have spent a long

time in the house of X and at the most he must have spent about 2/3 minutes in the house of X. In her cross-examination, she admitted that on the day of the incident she saw the prosecutrix, a baby and the accused near the steps leading to the house of the prosecutrix, she saw them going towards the house of X but she did not enter the house with them. She does not know if there was anyone inside the house. She stated that the distance between the place where she bought the vegetables and the house of X must be 10/15 paces. She never wear a watch and she presumed that the accused must have spent about 2/3 minutes in the house of X. She admitted the suggestion that on her way back she did not pay particular attention to the accused and the prosecutrix and that she went back straight to her house.

DW No.2/J.Rokunga is also a resident of Hunthar veng. He stated that the family was the prosecutrix were living in a rented house belonging to Pu.Zasanga. Next to the said house, construction was going on. While he was watching the construction of the said house, the accused came from above (a chhak atangin) carrying a baby and followed by the baby's elder sister. The baby was crying and the accused took them to their house, as the door of the house was fully opened he saw the accused putting the baby on the bench and thereafter he came out of the house. He stood right in front of the house and the door was opened so he could see them. He stated that there was no time for the accused to commit the offence. He further stated that the accused does not have any bad reputation and having reposed trust on him the Church authority appointed him as teacher in the Sunday school. In his cross-examination, he stated that he is not acquainted with the family of X but he has heard that her father is a driver. He knew the family of the accused and that at one time his father was a Village Council member. He knew that the family of X have come from Manipur but he does not know their names and they are not acquainted with each other. He stated that on that day while he was on his way home he was just having a look on the construction, there is a step of about 4 feet between the house of X and the house under construction. He admitted the suggestion that he did not constantly watch the accused, the baby and her sister following them but voluntarily stated that since the door of their house was fully opened he could see what was going on inside. The prosecutrix was a student of the accused in the Sunday school. He did not see anyone else with the accused and the two children and that he also did not see anyone looking at the accused and the two children.

9. It is by now a settled position of law that in cases involving sexual offence conviction can be based on the sole testimony of the prosecutrix if it inspire confidence of the court.

The sine quo non for the offence of rape is penetration of the male organ into the vulva or pudendum of the woman and the extent of such penetration is not material.

10. In the instant case, PW No.3/X is the prosecutrix. She stated that she cannot recollect the incident and how the incident occurred but knows that she stated something to Sarah and also remember that the accused penetrated his male organ into her private part inside her house. She further stated that at that time, she was at home with her younger sister and her mother had gone to the market, her father was out of station and her maternal uncle was away for his work as a driver. She did not tell her mother immediately for fear of being scolded instead, she told her friend Sarah. Later when her mother learnt about it she asked her but she did not say anything and her mother asked some person to make her speak. In her cross examination she stated that on the date of the incident she was at home with her younger sister, there is only curtain partition to their bedroom. She did not see the penis of the accused and the accused did not penetrate his male organ into her. She further stated that her mummy told her to depose as she did. She denied the suggestion that the accused did not try to penetrate his male organ into her private part. On re-examination by the Ld. Addl. PP, she deposed that she does not remember whether the accused tried to penetrate his male organ, her mother told her speak out whatever she knows and she did not tell her to lie.

11. On analysis of the statement of the prosecutrix it is clearly seen that her statement was shaken in the cross examination when she stated that the accused did not penetrate his male organ into her private part. In the instant case, the offence complained off was committed on 16.7.2011 and FIR was lodged on the night of 17.7.2011 and medical examination was done on the night of 17.7.2011 @ 9:00pm. The medical examination shows that the hymen of X was intact, she did not suffer any injuries on her body including genitalia. There was redness on her clitoris but her mother informed the doctor that the same has been there since the past five years.

12. As the prosecutrix herself clearly stated that the accused did not penetrate his male organ into her private part, the essential ingredient of the offence of rape appears to be missing in the instant case.

13. The prosecutrix in her cross-examination denied the suggestion that the accused did not attempt to penetrate his male organ into her private part. But when she was re-examined, she stated that she does not remember if the accused tried to penetrate or not. She also stated that her mother told her what to depose in the

court but clarified herself by stating that her mother told her to depose what ever she knows and she did not tell her to lie.

14. From the manner the prosecutrix depose, it is clear that as a child she is amenable to tutoring. She is approbating and reprobating. The honb'le Apex Court in the case of Changan Dame versus State of Gujarat, 1994 Cr.LJ 66(SC) has held that *evidence of child witness is not reliable who is under the influence of tutoring.*

15. In the instant case, from the statements of PW No.1/Sarah Remruatpuii, PW No.4/C.Lalthanpuii and PW No.5/Melody Darthangpuii who are the close friends of X, it is seen that the prosecutrix alongwith her younger sister joined her said friends soon after the incident complained off. The said witnesses did not say that they notice any difference in the behavior of the prosecutrix, they did not see her in fear and they did not see any injuries on her person. PW No.2/Lalramthari stated that when she heard about the suspicion from Lalruatfeli on the next day, the said Lalruatfeli also told her that when she spoke to X about it, the prosecutrix brushed it aside and said it was only a joke and then left.

16. Further in the case at hand, there is no evidence of the accused threatening the victim of dire consequences. According to the prosecutrix if she disobeyed the accused the accused stated that he will stop taking care of her. There is no evidence of the accused being armed with any weapon. There is no mention about the details of the younger sister of X who was with X throughout. It is seen from the evidence that apart from telling her friends, the prosecutrix did not tell any adult person until she was taken to an activist on the night of the next day. The said activist was not known to her. It is in evidence that she told her mother about the full incident only on Wednesday or Tuesday which was after the FIR was lodged.

17. The accused in his examination u/s 313 Cr.P.C admitted that he took the prosecutrix and her sister to their house from the main road. This is also stated by both the defence witnesses. According DW No.2, the accused left after making the baby-sit on a bench. The accused stated that he reached them to their house and left after telling them not to fight. DW No.1/Lalbiakengi stated that the place where she bought the vegetables must be about 10/15 paces from the house of the prosecutrix. When she came back, she saw the accused in front of his house which was on the way to her house. The statements of these witnesses have not been shaken during cross-examination. From the manner they depose, I do not find any reason to doubt their credibility.

18. In the case of State of Karnataka versus Shantappa Madivalappa Galapuji & Ors reported in 2009(3) Cr.R.297 (SC) the honb'le Apex Court was dealing with an appeal in which the High Court reversed the finding of conviction passed by the Trial Court and the honb'le Apex Court remanded the matter back to the Honb'le High court for fresh consideration has held as follows:-

“7. The decision on the question whether the child witness has sufficient intelligence primarily rests with the trial Judge who notices his manners, his apparent possession or lack of intelligence, and the said Judge may resort to any examination which will tend to disclose his capacity and intelligence as well as his understanding of the obligation of an oath. The decision of the trial court may, however, be disturbed by the higher Court if from what is preserved in the records, it is clear that his conclusion was erroneous. This precaution is necessary because child witnesses are amenable to tutoring and often live in a world of make-believe. Though it is an established principle that child witnesses are dangerous witnesses as they are pliable and liable to be influenced easily, shaken and moulded, but it is also an accepted norm that if after careful scrutiny of their evidence that Court comes to the conclusion that there is an impress of truth in it, there is no obstacle in the way of accepting the evidence of a child witness”.

19. From the manner X deposed in the Court, it appears that she can be easily shaken and moulded depending on the manner in which questions were framed to her. In other words, she does not appear to have enough intelligence to speak out clearly and consistently what she knows about the incident. As such, from her disposition, there is danger of her being under the influence of tutoring.

20. Unlike other offences, in sexual offence, the victims undergo a lot of humiliation and degradation of their honour and dignity. They are like injured witness. It takes a lot of courage for these victims to come out in the open about such incident. For this reason, as stated above, in such kind of offences, conviction can be based on the sole testimony of the prosecutrix if it inspire confidence of the court without insisting for corroboration. But at the same time, in our Indian criminal justice system, an accused is presumed to be innocent unless his guilt has been proved. It is also an established principle that in a criminal case the degree of proof is higher than that of civil cases. Accordingly, the initial burden of proving atleast the essential ingredients of the offence never shifts from the prosecution even in cases of sexual offence.

21. In the case there is no clear evidence of penetration of the male organ of the accused into the private part of X. There is also no clear evidence of whether the

accused attempted to commit rape and how far he had proceeded towards the commission of the offence. In fact, there is no clear evidence the conduct of the accused when he took X and her younger sister to their house to the time he left. The medical evidence does not give any clue and there is no evidence of change in the behavior of X.

22. For the reasons indicated above, I find that this is a fit case where benefit of doubt should be given to the accused.

ORDER

23. Accordingly, accused Lalrammawia is acquitted of the offence punishable u/s 376(2)(f) IPC by giving him the benefit of doubt.

24. In terms of section 437-A Cr.P.C the accused shall continue to be on bail for another period of 6(six) months on the same condition as before.

25. Give copy of the Judgment & Order free of cost to the accused.

26. Pronounced in open court and given under my hand and the seal of this court on this the 24th day of April, 2014.

Sd/- HELEN DAWNGLIANI

Addl. District & Sessions Judge

Aizawl Judicial District : Aizawl

Memo No:...../AD&SJ(A)/2014 : Dated Aizawl, the 24th April, 2014

Copy to: -

1. Accused Lalrammawia through Counsel Mr. S.L. Thansanga, Advocate.
2. PP/Addl. PP, Aizawl District, Aizawl.
3. District & Sessions Judge, Aizawl.
4. District Magistrate, Aizawl District, Aizawl.
5. DSP (Prosecution), District Court, Aizawl.
6. i/c G.R.Branch.
7. Registration Section.
8. Guard File.
9. Case Record.

P E S H K A R

APPENDIX

(A) **PROSECUTION EXHIBITS**

Ext. - P-1 FIR

 P-1 (a) Signature of PW.No- 2

Ext. - P-2 Copy of Birth Certificate of the prosecutrix

Ext. - P-3 Medical Examination Report of the victim

 P-3 (a) Signature of PW.No-4

Ext. - P-4 Charge Sheet

 P-4 (a) Signature of PW.No-8

(B) **DEFENCE EXHIBITS- None**

(C) **EXHIBITS PRODUCED BY WITNESSES - None:**

(D) **COURT EXHIBITS- None**

(E) **PROSECUTION WITNESSES:**

PW.-1 – Sarah Remruatpuii

PW.-2 – Lalramthari

PW.-3 – Prosecutrix

PW.-4 – Dr. Lalramengi

PW.-4 – C. Lalthanpuii

PW.-5 – Melody Darthangpuii

PW.-6 – B. Lalhmingmawii

PW.-7 – V. Vanlalruati

PW.-8 – SI H. Lalhmingthangi

(F) **DEFENCE WITNESSES - :**

DW 1 – Lalbiakengi

DW 2 – J. Rokunga

(G) **COURT WITNESSES- : None**