

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

**P R E S E N T**  
**Smt. Helen Dawngliani**  
**Addl. District & Sessions Judge-III**

**SR No.169/2010**  
**In Crl.Tr. No.1752/2010**  
**U/s 376(1) IPC**

**Ref:- Bawngkawn P.S Case No.268/2010 dt.10.7.2010 u/s 376(1) IPC**

**State of Mizoram**

**Versus**

<b>PC Lalthansanga</b>	<b>.....</b>	<b>Accused</b>
<b>Date of hearing</b>	<b>.....</b>	<b>16.1.2014</b>
<b>Date of Judgment</b>	<b>.....</b>	<b>29.1.2014</b>

**A P P E A R A N C E**

<b>For the Prosecution</b>	<b>.....</b>	<b>Mrs.Rose Mary, Addl.PP</b>
<b>For the Accused</b>	<b>.....</b>	<b>Mr. R.Thangkanglova Advocate</b>

**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 10.7.2010 @ 10:30pm one Lalchawiliana Sailo R/o Bawngkawn Bazar Veng lodged a written FIR at Bawngkawn Police Station to the effect that on the said night in between 8: 00 to 9:00pm, his daughter X, 16 years, after having dinner was returning from Ramhlun locality. The taxi driver P.C. Lalthansanga sexually assaulted his daughter at Bawngkawn and as his daughter resisted she even broke the window glass of the taxi bearing registration No.MZ-01/D 3188.

On the basis of the said information, Bawngkawn P.S Case No.268/10 dt. 10.7.2010 u/s 376(1) IPC was registered and investigated into. Upon completion of investigation, having found prima facie case against the accused PC Lalthansanga for the offence punishable u/s 376(1) 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.R.Thangkanglova, Advocate was assigned to defend the accused at the State expense u/s 304 Cr.P.C.

4. Charges u/s 376(1) 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 within the meaning of rape as defined u/s 375 IPC and the accused thereby guilty of the offence punishable u/s 376(1) IPC ?

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

Mrs.Rose Mary, the Ld.Addl.PP submitted that the prosecution has been able to prove its case by cogent and reliable evidence. The Ld. Counsel submitted that hearing the cry of a woman PW No.3 & 4 went to the place of occurrence and that the said two witnesses have no reason to falsely implicate the accused since they were not known to each other. The Ld. Addl.PP further submitted that the fact that X broke the window glass of the taxi driven by the accused is sufficient indication that the accused used force upon her and that he acted upon her against her will. With regard to the medical examination report of X, the Ld. Addl. PP submits that legally the offence of rape can very much be committed with the hymen remaining intact because, in order to commit the offence of rape even a slightest penetration would suffice. The Ld. Counsel contended that the absence of injuries does not mean that X was a consenting party and it appears that due to the constant resistance of the prosecutrix, the accused could not perform a full sexual intercourse. The Ld. Addl. PP therefore submits that the evidence adduced by the prosecution clearly proves that the offence of sexual assault was committed by the accused against X and that the statement of the accused and the evidence adduced by the accused himself, in the absence of any other supporting material cannot outweigh the evidence adduced by the prosecution. The Ld. Counsel therefore submitted that the prosecution has sufficiently discharged its burden of proving the guilt of the accused and therefore prays to convict the accused for the offence punishable u/s 376(1) IPC.

On the other hand, Mr. R. Thangkanglova, the Ld. State Defence Counsel submitted that the prosecution has miserably failed to prove its case beyond reasonable doubt. The Ld. Counsel argued that the statement of the accused is reliable and it is clear from the statement of the accused that he did not use force upon the prosecutrix that he did not have sexual intercourse with X and whatever happened between them on the night of the incident was consensual. The Ld. Counsel argued that the medical examination report of the prosecutrix support the defence case wherein it was found that the prosecutrix did not sustain any injuries on her body including her genitalia, no marks of violence was found and her hymen was found to be intact. The Ld. Counsel argued that only because the prosecutrix was seen by her neighbour who informed her father that the prosecutrix in order to save her skin from her father have falsely implicated the accused. The Ld. Counsel therefore prays to acquit the accused.

#### 7. DISCUSSION, DECISION AND REASONS THEREOF:-

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

PW No.1/ Lalchawiliana is the father of X and the informant. He stated that at night while he was watching TV Lachhanhima told him that his daughter met with an untoward incident. He followed Lachhanhima towards Sairang road near Hrangbana petrol pump and from a distance he could see his daughter X, accused PC Lalthansanga and Lallungkhama at some distance from Hrangbana Petrol pump. He reported the matter to Bawngkawn PS on the same night. He stated that his daughter was 16 years old and was born in the year 1994. He exhibited the FIR as Ext.P-1 and his signature as Ext.P-1 (a). In his cross-examination, he stated that he has not personally seen or heard about the incident. He heard from Lachhanhima. FIR was written by his wife and he put his signature .

PW No.2/X is the prosecutrix. She stated that on 10.7.2010 she had dinner in the house of her friend Esther Lalngaihawmi at Ramhlun Vengthar. After dinner around 6:30 pm to 7:00 pm she left her friend's house and walked on the footpath as she wanted to meet some other friends. After she met her other friends, she was on her way home and was walking on the foot path of the main road since there was no bus service any more by such time. She took a taxi bearing registration No. MZ-01/D-3188 driven by the accused. He told the taxi driver/accused that she was going to Bawngkawn. When they reached her locality, she asked the driver to stop instead the driver drove in a high speed and took her to Sairang road within Chaltlang area near Hrangbana Petrol pump where there were no residential houses but some workshops were there. The accused stopped the taxi there and when she tried to get out, the accused stopped her and pushed her inside the taxi. She shouted

for help and even broke the window glass of the taxi. But the accused physically overpowered her and had sexual intercourse with her inside the taxi. She stated that the accused pulled down her pant and panty. Hearing her hue and cry some people who passed by in a motor cycle came to her rescue at the same time L.K a also came and he apprehended the accused. Since she knew LKa the persons in motor cycle left. She stated that she has never seen or known the accused before. She further stated that LKa called out for his brother Lalchhanhima and when Lalchhanhima arrived at the spot LKa sent him to inform her parents. Her father reached the spot and reported the matter to Bawngkawn Police Station. In her cross-examination she stated that they drank grape wine in the house of Esther Lalngaihawmi. She did not pay the taxi fare as she was still boarding the taxi. From a place near her house they returned and ran towards Hrangbana Petrol pump. She also stated that the accused assaulted her after passing Hrangbana Petrol Pump. She stated that she was assaulted by the accused. After she left the taxi she broke the window glass and on hearing the sound of breaking LKa and Lalchhanhima went to them. Lalchhanhima reported the matter to her father. She denied the suggestion that she was not raped by the accused and that she surrendered herself to him.

PW No.3/ Vanlalchhanhima Ralte stated that on the night of the incident his brother Lka who had gone out to buy cigarette and betel nuts heard screaming sound for help towards Hrangbana Petro Pump side. As it was dark he could not see clearly but saw some persons in a bike standing. His brother came home and he went with his brother to the site and they saw that some persons in the bike were consoling X. His brother apprehended the accused. When the person in the bike came to know that they knew the girl, they left her in their custody and left the place. The prosecutrix was sobbing and seeing her they felt that some untoward incident occurred and that it was not the right time to talk to her. He went to call the father of X. The father of X after knowing about the incident reported the matter to Bawngkawn Police Station. In his cross-examination he stated that he has not personally seen or heard about the incident. He also stated that in between the place of occurrence (where the taxi was parked) and the house of X there are about 6 houses.

PW No.4/R.Vanlallungkhama stated that one night @ 9:00 to 9:30pm he went to the top floor of his rented building to buy betel nuts and cigarette. At that time he heard the cry of a girl for help. He proceeded towards the P.O with his brother and saw some bikers standing near the taxi at the P.O. The bikers left after telling them that the girl needed help and that they were in a hurry. The girl, X

stated that the bikers stopped on hearing her cry for help and that we also reached soon after. He checked the accused and in the meantime he told his brother to call the father of X, after the father of X reached the P.O, all the four of them including the accused went to the Police Station. In his cross-examination he stated that he does not know how and from where the accused and X came to the P.O, he did not see the accused assaulting X, he does not know if they had sexual intercourse or not. He also does not have any knowledge if the accused and X were on love or not.

PW No.5/K.Lalruatsanga is a Constable and he appeared as seizure witness. However, he stated that he did not see the seized items i.e vehicle bearing registration No. MZ-01/D 3188 and fragments of broken glasses.

PW No.6/Dr.Vanlalruati examined the accused on 10.7.2010 @11:00pm at Civil Hospital Aizawl. Accused was found physically and mentally sound. No injuries or marks of violence were found on his body. He did not sustain injuries in his genital organs. Though he smell of liquor he was able to control himself and his speech was normal. Slide was taken for laboratory test for presence of spermatozoa. She exhibited the medical examination report as Ext.P-3 and her signature as Ext.P-3(a).

PW No.7/Dr.Lalramengi examined X on 10.7.2010 @ 11:00 pm at Civil Hospital Aizawl. The victim was found physically and mentally healthy. Her hymen was intact. Her secondary sexual characters have developed. No bruising or laceration was found on her external genitalia and no marks of violence was found on her body. She exhibited the medical examination report of X as Ext.P-4 and her signature as Ext.P-4(a).

PW No.8/SI Zoremsanga conducted preliminary enquiry before the matter was transferred to the CAW Cell. He stated that FIR was lodged on 10.7.2010 @ 10:30pm at Bawngkawn PS by Lalchawiliana sailo. After Bawngkawn PS Case No. 268/10 dt.10.7.2010 u/s 376(1)IPC was registered, he recorded the statements of two witnesses namely Vanlalchhanhima and R.Vanlallungkham, arrested the accused on the night 10.7.2010 at the Police Station as he was apprehended by the public and brought to the PS, he seized the taxi bearing registration No.MZ-01/B-3188 alongwith its documents and some fragments of broken window glasses of the taxi. He also forwarded the accused and X for medical examination. He exhibited seizure memo as Ext.P-2, requisition for medical examination of X and accused as Ext.P-5 & 6 respectively and arrest memo as Ext.P-7 and his signature thereon as Ext.P-7(a).

PW No. 9/SI H.Lalhmingthangi is the Investigating Officer. She took up investigation after the matter was transferred to the CAW Cell. When she took up investigation, she recorded the statements of the complainant, visited the place of occurrence which is commonly known as Lentawi which is located just below Bawngkawn Police Station on Sairang Road. She also recorded the statement of X and released the seized taxi on zimmanama. Having found prima facie case, she laid charge sheet against the accused for the offence punishable u/s 376(1) IPC. She exhibited the Charge sheet as Ext.P-8 and her signature as Ext.P-8(a). In her cross-examination she stated that she visited the place of occurrence on the next day of the incident. She admitted the suggestion that as per the medical report, the hymen of the prosecutrix is intact.

8. Examination of the accused u/s 313 Cr.P.C one of denial. The accused denied using force against the prosecutrix and he also denied to have sexual intercourse with her.

9. The accused appeared as his own witness and the statement of the accused may be briefly highlighted:-

DW No.1/ PC Lalthansanga, accused stated that when X boarded his taxi he could sense that she was a bit drunk. He bought cigarette near Bethesda Hospital and when he got back to the taxi he invited X for a ride which she agreed on the condition that he will have to give her money. He stated that they proceeded towards Bawngkawn Tipper stand where he stopped his vehicle. He was about to have sexual intercourse with X with her consent inside his taxi and both of them were removing their clothes. The accused stated that when he pulled down his pant and underpant the prosecutrix resisted and he told her to introduce his male organ to her private part. She stated that it was painful and that X attempted thrice to introduce his male organ to her private part. He told her that he was in a hurry and that she can leave. X then went out of the taxi and he gave her clothes and she wore them. When she again tried to enter the taxi he resisted and at that time she banged the window and broke the glass. He became angry and went out of his taxi and slapped her twice and she began to cry. At that time three men came walking and asked him why he laid hands on a woman. He explained every thing to them and the three men left saying that he should not misbehave. Then he told X that both of them will look for a place where they can fit the window glass just which was agreed by X. Just when she was about to enter the taxi her father arrived and the moment her father arrived X started making false accusations. He stated that the father of X told him to go with them to their house but he told them that he was

going to the Police Station and if they want they can come. So he went to the Police Station and gave verbal information. The Police on duty told him to wait and in the meantime the victim, her father and some of their relatives arrived at the PS and lodged an FIR and when he tried to explain himself the Police told him to keep quiet. He stated that he did not use force upon her and he did not have sexual intercourse with her. In his cross-examination, his statement have not been shaken and he admitted the suggestion that X was smelling of liquor.

10. In the instant case, charge has been framed against the accused for the offence punishable u/s 376(1) IPC. It is not in dispute that at the relevant time, X was above 16 years. Accordingly, she has attained the age to exercise her discretion.

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

A. In the case at hand, PW No.2/X stated that when she took the taxi driven by the accused, he drove passed her house despite her telling to stop the taxi. He drove to Sairang road within the area of Chaltlang near Hrangbana Petrol pump where there were no residential houses but only some workshops were there. She further stated *“He stopped his taxi there and when I tried to got down from the taxi he stopped me and pushed me inside the taxi. I shouted for help and at the same time I even broke the window pan of the taxi. But he was too strong for me that e able to have sexual intercourse inside the taxi by pulling down my pant and panty”*. She further deposed that hearing her hue and cry some people who passed by stopped and came for her rescue and soon after LKa also came and apprehended the accused. As she was known to LKa the persons in bike left the place.

It therefore appears from the evidence of X that she resisted the accused and in the process she even broke the window glass of the taxi. Inspite of her resistance she was overpowered and the accused had sexual intercourse. As such, the statement of the prosecutrix gives an impression of a lot of physical resistance from her to such an extend that she even broke the window glass. However, surprisingly, during cross-examination, X stated *“After I left the taxi I had broke the taxi glass with a stone”*. The said statement of X is in clear contradiction to her statement in the examination-in-chief that she shouted for help and at the same time even broke the window pane. This contradiction has created doubt on the statement of the prosecutrix that she put up a lot of physical resistance and inspite of her struggle the accused sexually assaulted her. Ordinarily, if there is physical

resistance, the victim is expected to sustain some injuries. But in the instant case the prosecutrix did not sustain any injuries.

B. PW No.7/ Dr.Lalramengi stated that she examined X on 10.7.2010 @ 11:00pm. The medical examination shows that the hymen of the prosecutrix was intact. There was no bruising or laceration on her external genitalia and no marks of violence was found on her body. Though it is no doubt true that legally an offence of rape can be committed even with the hymen remaining intact, in the given facts and circumstances of the case, and considering the age of the prosecutrix who was mature enough to have a full understanding of the conduct of the accused on her person it is expected that atleast some marks of violence or trace of recent forceful sexual activity should have been visible upon examination of her genitalia. But the same is missing in the instant case. The honb'le Apex Court in the case of **State versus Manjanna** reported in **AIR 2000 SC 2231** has held that *ordinarily, where forcible sexual intercourse is committed there would be injury on the person of the victim. Absence of any injury on the person of a woman alleged to have been raped may go a long way to indicate that the alleged intercourse was a peaceful affair and the story of stiff resistance put up by the prosecutrix is false and an afterthought.* Further, in *Madan Gopal Kakkad v. Naval Dubey and Anr.* [JT 1992 (3) SC 270 = (1992) 3 SCC 204] this Court has held (vide para 23) that lack of oral corroboration to that of a prosecutrix does not come in the way of a safe conviction being recorded provided the evidence of the victim does not suffer from any basic infirmity, and the 'probabilities factor' does not render it unworthy of credence, and that as a general rule, corroboration cannot be insisted upon, **except from the medical evidence, where, having regard to the circumstances of the case, medical evidence can be expected to be forthcoming.** The instant case is one such case where corroboration can be expected to be forthcoming since medical examination was done on the night of the incident itself. But the medical examination report does not support the statement of the prosecutrix of being sexually assaulted despite stiff resistance.

C. According to the prosecutrix when they reached her locality she told the accused/driver to stop. But he did not stop and drove the taxi in a high speed and took her to Sairang road within the area of Chaltlang near Hrangbana Petrol pump where there were no residential houses but only some workshops were there and that the accused stopped the taxi in the said place. It is noticed from her statement that she never shouted or raised hue and cry when she was being taken to a place beyond the area she wanted to go. The prosecutrix also stated in her cross



examination that she drank grape wine in the house of her friend Esther Lalngaihawmi and that they were not “*drunk too much*”. This statement of X corroborate the statement of the accused that when X entered his taxi he could sense that she was a bit drunk.

D. PW No.8/SI Zoremsanga who conducted the preliminary investigation stated in his cross examination that the two witnesses he examined are brothers and that the said witness saw the prosecutrix pulling up her pant. The said two brothers have been examined as PW No.3/Vanlalchhanhima Ralte and PW No.4/R. Vanlallungkhama. A close and careful reading of the statement of the two witness does not contain any statement to the effect that when they went to the place of occurrence, they saw the prosecutrix pulling up her pant.

For the reasons indicated above, I am of the considered opinion that there are no sufficient evidence to convict the accused for the offence punishable u/s 376(1) IPC.

10. Having arrived at the said finding, it is necessary to see whether the conduct of the accused was completely harmless. In this regard the statement of PW No.3/Vanlalchhanhima Ralte stated that he heard the scream of a girl for help. He informed his brother LKa and both of them went towards the place from where he heard the sound and when they reached they saw X sobbing and being consoled by some people on the bike. He stated that his brother Lka apprehended the accused. Similar statement is also made by the said Lka, who appeared as PW No.4. It is also an admitted fact that the window glass of the taxi was actually broken by X.

A. Upon appreciation of the evidence adduced by PW No.3/Vanlalchhanhima Ralte and PW No.4/R.Lallungkhama, I do not find any reason to doubt their testimony. It is seen from their testimony that both of them saw the accused for the first time on the night of the incident. As such their appears to be no reason for them to cook up a story against the accused. It is also seen from the statement of these witnesses that when they saw the prosecutrix she was sobbing and seeing her condition they “*came to the conclusion*” that talking may hurt her and so one of them ran to call her father. It therefore appears that PW No.3 & 4 did not talk to X as to how she was seen in the said place and what actually happened to her. Similarly, upon a reading of the statement of PW No.1/Lalchawiliana who is the father of X he stated that he was informed by Lalchhanhima that his daughter X met with “*some untoward incident*”. He did not state that before lodging the FIR he talked to his daughter X and ascertained what actually happened to her. He

further stated in his cross examination that his wife wrote the FIR and he put his signature. Therefore, what transpired from the evidence of these three witnesses is that seeing the condition of the prosecutrix, an ordinary normal human being could sense that something had gone wrong.

B. The reason why PW No.3 & 4 reached the place of incident was because of the screaming sound of a girl for help which was heard by PW No.3. This statement of PW no.3 have not been shaken during cross examination. Though X and PW No.3 & 4 are neighbours, it is seen from their statements that when they ran towards the place from where they heard the sound they did not know the girl who was screaming for help. It was only after they reached the place that they came to know it was X. As such, I do not find any reason to doubt the statements of PW No. 3 & 4. What therefore transpired from the evidence is that even though the prosecutrix did not scream while she was being carried beyond the place she wanted to go, she raised an alarm after the vehicle stopped.

C. It is also not in dispute that only the accused and X were there in the taxi. As stated above, it is not in dispute that the prosecutrix broke the window glass of the taxi driven by the accused. It is also an admitted position that the taxi driven by the accused carrying X did not stop in front of the house of X and that the accused drove passed the place where X was to get down. There is no evidence of the accused having any weapon with him. There is also no evidence of the accused verbally threatening X but there is evidence to the effect that he consumed liquor and X was also a '*bit drunk*'. PW No.1/Lalchawiliana stated that X was born in the year 1994. As such in the year 2010 she was 16 years old. Accordingly, she has legally attained the age to exercise her discretion and reasoning. Under the given situation, a girl of 16 years could reasonably suspect that the accused would demand or request for sexual favours. This appears to be the reason she shouted for help and broke window glass.

D. The incident occurred at night and it appears that there were no other persons around. In the case of ***State Versus Major Singh*** reported in AIR 1967 SC 63 the Hon'ble Supreme Court has held as follows :-

*"When any act done to or in the presence of a woman is clearly suggestive of sex according to the common notions of mankind that act will fall within this section. The essence of a woman's modesty is her sex. The modesty of an adult female is writ large on her body. Young or old, intelligent or imbecile, awake or sleeping, the woman possesses a modesty capable of being outraged. Whoever uses criminal force to her with intent to outrage her modesty commits an offence punishable under section 354. The culpable*

*intention of the accused is the crux of the matter. The reaction of the woman is very relevant, but its absence is not always decisive, for example, when the accused with a corrupt mind stealthily touches the flesh of a sleeping woman. She may be an idiot, she may be under the spell of anesthesia, she may be sleeping, she may be unable to appreciate the significance of the act, nevertheless, the offender is punishable under the section”.*

Keeping in mind the attending facts and circumstances of the case alongwith the interpretation given by the honbl'e Court, I find that the instant case is clearly covered by the offence punishable u/s 354 IPC.

### **ORDER**

11. Accordingly, accused **PC Lalthansanga** is convicted of the offence punishable u/s 354 IPC.

12. Heard the parties on the question of sentence.

Accused PC Lalthansanga prays for leniency by submitting that he has no criminal antecedents and that he is the sole bread earner of his family.

Mr.R.Thangkanglova, Ld.State Defence Counsel adopted the submission of the accused and further submitted that the accused did not threaten the prosecutrix and was not armed with any weapon. The Ld. Counsel submitted that considering the nature of the offence and the manner in which it was committed sentence may be reduced to the period of detention already undergone by the accused which is about 3 months.

On the other hand, Mrs. Rose Mary, the Ld. Addl.PP submitted that no sufficient ground has been made to show leniency to the accused and parts that sentence of imprisonment with fine may be imposed upon the accused.

Heard the parties and perused the record. There can be no straitjacket formula for imposing sentence. Each case has to depend upon its own facts and circumstances. Some of the considerations that are usually taken while imposing sentence are the nature and gravity of the offence, the manner in which it was executed, the injury caused to the victim etc.

In the case at hand, as already highlighted, the prosecutrix did not sustain any injuries. There is also no evidence that the accused was armed with any weapon. There is no material on record to suggest that the accused has previous

criminal antecedents. There is also nothing from the evidence to suggest that as a result of the incident the prosecutrix have been incapacitated from leading her normal daily life. It is seen from the record that the accused was detained in judicial custody from 11.7.2010 to 3.10.2010. Accordingly the accused has been in judicial custody for about 2 months and 3 weeks.

Considering the manner in which the offence was committed, the damage caused to the victim as well as the antecedents of the accused, I am of the view that the ends of justice would be served by reducing the sentence to the period of detention already undergone by the accused during investigation and trial.

Bail bond stands cancelled and surety is discharged from the bond.

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

Pronounced in open court and given under my hand and the seal of this court on this the 29<sup>th</sup> day of January, 2014.

**Sd/- HELEN DAWNGLIANI**  
Addl. District & Sessions Judge-III  
Aizawl Judicial District : Aizawl

Memo No: \_\_\_\_\_AD&SJ/(A)/2013 : Dated Aizawl, the 29<sup>th</sup> January, 2014  
Copy to: -

1. Accused P.C. Lalthansanga through Counsel Mr. R. Thangkanglova, Advocate.
2. District & Sessions Judge, Aizawl Judicial District, Aizawl.
3. PP/Addl. PP, Aizawl District, Aizawl.
4. District Magistrate, Aizawl District, Aizawl.
5. DSP (Prosecution), District Court, Aizawl.
6. i/c G.R. Branch, Aizawl.
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. 1
- Ext. P-2 Seizure Memo
  - P-2(a) Signature of PW No. 5
  - P-2(b) Signature of PW No.
- Ext. P-3 Medical Examination Report of accused
  - P-3(a) Signature of PW No. 6
- Ext. P-4 Medical Examination Report of the victim
  - P-4(a) Signature of PW No. 7
- Ext. P-5 Requisition for Medical Examination of the prosecutrix
- Ext. P-6 Requisition for Medical Examination of the accused
- Ext. P-7 Arrest Memo
  - P-7(a) Signature of PW No. 8
- Ext. P-8 Charge Sheet
  - P-8(a) Signature of PW No. 9

### **B. DEFENCE EXHIBITS-** None

### **C. EXHIBITS PRODUCED BY WITNESSES -** None

### **D. COURT EXHIBITS-** None

### **E. PROSECUTION WITNESSES:**

- P.W. No. 1 - Lalchawiliana
- P.W. No. 2 - Gracy Vanlalruati
- P.W. No. 3 - Vanlalchhanhima Ralte
- P.W. No. 4 - R. Vanlallungkhama
- P.W. No. 5 - K. Vanlalruatsanga
- P.W. No. 6 - Dr. Vanlalruati
- P.W. No. 7 - Dr. Lalramengi
- P.W. No. 8 - SI Zoremsanga
- P.W. No. 9 - SI H. Lalhmingthangi

### **F. DEFENCE WITNESSES - :**

- D.W. No. 1 - P.C. Lalthansanga