

THE GAUHATI HIGH COURT

(The High Court of Assam, Nagaland, Mizoram and Arunachal Pradesh)

Main Written Examination for Direct Recruitment of Grade-I Of Assam Judicial Service, 2019.

Date: 06.03.2020

Time: 9 AM to 12 PM

Total Marks: 100

Duration: 3 Hours.

PAPER-I

1. Write an essay (Any one):-

(1 X 20 = 20 Marks)

- (i) Social Media –Impact on human behavior and society.
- (ii) Abrogation of Articles 370 and 35 A: Advantages and disadvantages for the people of
 - (a) Jammu and Kashmir and (b) Ladakh.

2. Read the following passage and write a précis:-

(1 X 15 = 15 Marks)

Man is the only creature that consumes without producing. He does not give milk, he does not lay eggs, he is too weak to pull the plough, he cannot run fast enough to catch rabbits. Yet he is lord of all the animals. He sets them to work, he gives back to them the bare minimum that will prevent them from starving, and the rest he keeps for himself. Our labour tills the soil, our dung fertilises it, and yet there is not one of us that owns more than his bare skin. You cows that I see before me, how many thousands of gallons of milk have you given during this last year? And what has happened to that milk which should have been breeding up sturdy calves? Every drop of it has gone down the throats of our enemies. And you hens, how many eggs have you laid in this last year, and how many of those eggs ever hatched into chickens? The rest have all gone to market to bring in money for Jones and his men. Any you, Clover, where are those four foals you bore, who should have been the support and pleasure of your old age? Each was sold at a year old – you will never see one of them again. In return for your four confinements and all your labour in the fields, what have you ever had except you bare rations and a stall?

And even the miserable lives we lead are not allowed to reach their natural span. For myself I do not grumble, for I am one of the lucky ones. I am twelve years old and have had over four hundred children. Such is the natural life of a pig. But no animal escapes the cruel knife in the end. You young porkers who are sitting in front of me, every one of you will scream our lives out at the block within a year. To that horror we all must come – cows, pigs, hens, sheep, everyone. Even the horses and the dogs have no better fate. You, boxer, the very day that those great muscles of yours lose their power, Jones will sell you to the knacker, who will cut your throat and boil you down for the foxhounds. As for the dogs, when they grow old and toothless, Jones ties a brick round their necks and drowns them in the nearest pond.

3. Write on any four of the following topics: -

(4 X 5 = 20 Marks)

- (i) Doctrine of Res Gestae;
- (ii) Concepts of Strict Liability and Absolute Liability;
- (iii) Eastern Bengal Frontier Regulation, 1873;
- (iv) Jurisdiction and hierarchy of the District Council Courts in Karbi Anglong Autonomous Council and Dima Hasao Autonomous Council;
- (v) Territorial Jurisdiction of the Gauhati High Court – Past and Present.

4. Write short notes on any three.

(3 X 5 = 15 Marks)

- (i) Electric vehicles in India and its benefits
- (ii) Operation of private passenger trains in India
- (iii) Emerging trends in India-USA relationship
- (iv) Intellectual Property Rights regime in India.

Q. Choose the most appropriate one word substitute out of the choices given below: -

(1 X 5 = 5 Marks)

5. A Medicine to counteract the effects of a poison.

- (i) Healer
- (ii) Antidote
- (iii) Dose
- (iv) Anesthesia

6. A remedy which can cure all ailments.

- (i) Peninsula
- (ii) Panacea
- (iii) Antidote
- (iv) Vaccine

7. A person who pretends to have more knowledge or skill than he really has.

- (i) Crook
- (ii) Apotheosis
- (iii) Renegade
- (iv) Charlatan

8. An imaginary circle passing round the poles of the earth.

- (i) Longitude
- (ii) Latitude

(iii) Tropic of Cancer

(iv) Meridian

9. One who abandons his religious faith.

(i) Apostate

(ii) Prostate

(iii) Profane

(iv) Agnostic

Q. Give the meaning of the following phrases: -

(1 X 5 = 5 Marks)

10. A man of straw

(a) A man of no substance

(b) A very active person

(c) A worthy fellow

(d) An unreasonable person

11. To have an axe to grind

(a) A private end to serve

(b) To fail to arouse interest

(c) To have no result

(d) To work for both sides

12. To leave someone in the lurch

(a) To come to compromise with someone

(b) Constant source of annoyance to someone

(c) To put someone at ease

(d) To desert someone in his difficulties

13. To cry wolf

(a) To listen eagerly

(b) To give false alarm

(c) To turn pale

(d) To keep off starvation

14. To put one's hand to plough

- (a) To take up agricultural farming
- (b) To take a difficult task
- (c) To get entangled into unnecessary things
- (d) Take interest in technical work

Q. Choose the correct one: - (1 X 17 = 17 Marks)

15. Coral reefs in India can be found in:

- (a) Waltair
- (b) Trivandrum
- (c) The coast of Orissa
- (d) Rameshwaram

16. Escape velocity of a rocket fired from the earth towards the moon is a velocity to get rid of the

- (a) Centripetal force due to the earth's rotation
- (b) Earth's gravitational pull
- (c) Pressure of the atmosphere
- (d) Moon's gravitational pull

17. Filariasis is caused by:

- (a) Protozoa
- (b) Mosquito
- (c) Virus
- (d) Bacteria

18. Which of the following is used as the logo of the World Wide Fund for Nature (WWF)?

- (a) Deer
- (b) Panda
- (c) Camel
- (d) Lion

- 19.** Fly ash is environmental pollutant produced by
- (a) Thermal power plant
 - (b) Oil refinery
 - (c) Hydro-electric power plants
 - (d) Fertilizer plant
- 20.** Preamble enshrines the ideals of liberty, equality and fraternity-ideals inspired by the:
- (a) Russian Revolution
 - (b) Irish Revolution
 - (c) French Revolution
 - (d) US Constitution
- 21.** Which of the following is not a chief organ of the United Nations Organization?
- (a) International Labour Organization
 - (b) Security Council
 - (c) International Court of Justice
 - (d) General Assembly
- 22.** Entomology is the science that studies
- (a) The origin and history of technical and scientific terms
 - (b) Behavior of human beings
 - (c) Insects
 - (d) The formation of rocks
- 23.** Eugenics is the study of:
- (a) Genetic of plants
 - (b) Different races of mankind
 - (c) People of European origin
 - (d) Altering human beings by changing their genetic components
- 24.** Which country gifted the Statue of Liberty to the United States of America?

- (a) England
- (b) Australia
- (c) Italy
- (d) France

25. Which of the following is the headquarters of World Trade Organization (WTO)?

- (a) New York
- (b) Geneva
- (c) Madrid
- (d) Paris

26. Wi-Max is related to:

- (a) Bio Technology
- (b) Space Technology
- (c) Missile Technology
- (d) Communication Technology

27. Night blindness is caused by the deficiency of:

- (a) Vitamin A
- (b) Vitamin B6
- (c) Vitamin C
- (d) Vitamin D

28. The following is symbol of World Wide Fund (WWF)?

- (a) Whale
- (b) Kangaroo
- (c) Bear
- (d) Giant panda

29. The following is not a measure of Human Development Index:

- (a) Life expectancy

- (b) Sex ratio
- (c) Literacy rate
- (d) Standard of living

30. A word which is not defined in the IPC:

- (i) Public servant
- (ii) Woman
- (iii) Enquiry
- (iv) Movable property

31. The expression 'liquidated damages' means:

- (i) Penalty to be paid by the party who commits breach of contract
- (ii) Earnest money paid
- (iii) An amount stipulated in the contract as damages which can be recovered by one party if the other party breaches it
- (iv) Damages ascertained by the court payable by a party who commits breach.

Q. Identify the wrong statement: -

(1 X 3= 3 Marks)

- 32.** (i) The first information may be reduced to writing under the direction of the officer in-charge of police station.
- (ii) The first information statement shall be read over to the informant after it is reduced to writing.
- (iii) The substance of the first information statement shall be entered in a book prescribed by the government.
- (iv) If the officer in-charge of a police station refuses to record the first information statement, the only remedy of the aggrieved person is to file a complaint before a Magistrate.

- 33.** (i) The president shall appoint a person who is qualified to be appointed a Judge of the High Court to be the Attorney General of India
- (ii) The Attorney General gives advice to the Government of India upon legal matters.
- (iii) The Attorney General shall have right of audience in all courts in the territory of India.
- (iv) The Attorney General shall hold office during the pleasure of the President
- 34.** (i) Substitute service of summons may be ordered when the defendant is keeping out of the way for the purpose of avoiding the service.
- (ii) Substituted service of summons by affixture is effected by affixing a copy of the summons in a conspicuous part of the court house or the last residence of the defendant.
- (iii) Substituted service of summons affixture is effected by affixing a copy of the summons in a conspicuous part of the courthouse and in the house in which the defendant is last known to have resided.
- (iv) Service of summons cannot be effected by substituted service for the reason that the defendant has only a business agent within the jurisdiction of the court and the defendant is not residing within the jurisdiction.

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THE GAUHATI HIGH COURT AT GUWAHATI

(THE HIGH COURT OF ASSAM: NAGALAND: MIZORAM AND ARUNACHAL PRADESH)

**Main Written Examination for direct recruitment to
Grade-I of Assam Judicial Service, 2019**

PAPER – II

Total Marks: 100

Duration: 3 Hours

Date: 06.03.2020

Time: 1 PM to 4 PM

GROUP – A

TRANSFER OF PROPERTY ACT

- Q.1. Distinguish between vested interest and contingent interest in the property. (2 Marks)
- Q.2. Write down the conditions for applicability of the doctrine of Lis Pendens. (2 Marks)
- Q.3. Mention the condition for creation of mortgage by conditional sale. Whether it is mandatory to mention the condition in the document which purports to effect the sale.
(1+1=2 Marks)
- Q.4. State three modes by way of which a lease of an immovable property is determined.
(1+1+1=3 Marks)
- Q.5. 'A' executes a deed of immovable property in favour of 'B' vide a registered gift deed. 'B' is not informed about the gift. 'A' changes his mind and revokes the gift. Thereafter 'B' comes to know about the gift and property. Answer the claim of 'B' over the gifted property.
(2 Marks)
- Q.6. Mention three rights which cannot be transferred under Section 5 of the T.P. Act.
(3 Marks)
- Q.7. Interpret "attested" in relation to an instrument and "actionable claim" under the T.P. Act.
(1+1=2 Marks)

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**GROUP – B**

**CIVIL PROCEDURE CODE**

- Q.1. Define (i) Decree (ii) Mesne profits. (2+1=3 Marks)

- Q.2. Mention the conditions stipulated in the C.P.C. that bar a fresh suit. (4 Marks)
- Q.3. What is 'substituted service' of summons and its effect? (2+1=3 Marks)
- Q.4. What are the basis on which the Civil Court may frame issues in a suit? (2 Marks)
- Q.5. When does the Court passes a preliminary decree in a suit for partition? (1 Mark)
- Q.6. What are the conditions for issuance of notice to garnishee for recovery of a debt? (2 Marks)
- Q.7. When transposition of defendants as plaintiffs may be permitted? (2 Marks)
- Q.8. Whether a suit shall lie to set aside a decree on the ground that the compromise on which the decree is based was not lawful? (1 Mark)
- Q.9. What are the grounds for review of a decree or order? (2 Marks)
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**GROUP – C**

**CRIMINAL PROCEDURE CODE**

- Q.1. What are the classes of criminal Courts in the State of Assam? (3 Marks)
- Q.2. What are the obligations of person making arrest and the duty on the Magistrate before whom such arrested person is produced? (3+1=4 Marks)
- Q.3. Broadly speaking what do you understand by the term "taking cognizance of an offence"? (1 Mark)
- Q.4. Whether criminal Court has power to summon any person for additional evidence at any stage i.e. even after the case of both sides is being closed? (1 Mark)
- Q.5. What power the criminal Courts have to examine the accused and what is the value of such answers? (3 Marks)
- Q.6. What conditions are to be imposed if a person of unsound mind incapable of entering defence is decided by the Magistrate to release him? (2 Marks)
- Q.7. Writ a short note on victim compensation scheme introduced in the Cr.PC, 1973. (3 Marks)
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**GROUP – D**

**INDIAN PENAL CODE**

Q.1. Define criminal conspiracy? (2 Marks)

Q.2. The companion of the accused person on whose cycle the accused was sitting, continued to pedal and cycle after the accused person fired the pistol and that the companion too ran away with the accused person. Whether the companion could be roped in with the accused person under Section 34 I.P.C.? (1 Mark)

Q.3. 'Common intention' and 'similar intention' – which one forms the ingredient to attract Section 34 I.P.C.?(1 Mark)

Q.4. When the appellant was tried with other accused persons under Section 302 read with Section 34, I.P.C., and when the other accused have been acquitted and the doctor found four injuries on deceased caused by firearms and was collectively sufficient in the ordinary course of nature to cause death. But the doctor refused to opine that two injuries attributed to appellant's firing were sufficient to cause death. Which is the appropriate Section for appellant's conviction? (1 Mark)

Q.5. In a scuffle deceased inflicted three stick blows on accused and in return accused inflicted knife injuries to deceased. Right of private defence exceeded medical opinion that one of injuries on deceased was sufficient to cause death, in ordinary course. Whether offence of murder established? (1 Mark)

Q.6. Define 'affray' and distinguish it from a 'riot'. (1+2=3 Marks)

Q.7. What are the basic requirements to prove an offence of criminal breach of trust? (2 Marks)

Q.8. Define the offence of Voyeurism and Stalking. (1+1=2 Marks)

Q.9. Define Criminal intimidation. (2 Marks)

Q.10. Accused person removes stamps from legal documents and reuses it. Whether offence of forgery is attracted? (1 Mark)

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GROUP – E
INDIAN EVIDENCE ACT

- Q.1. Under what circumstances an admission in a civil case irrelevant? (1 Mark)
- Q.2. What is a dying declaration? Enumerate the grounds on which dying declarations are admitted in evidence. (1+1=2 Marks)
- Q.3. In what cases, if any, can the confession of an accused person be used against a co-accused? (1 Mark)
- Q.4. Distinguish between a "judgment in rem" and a "judgment in personam" for the purposes of the Indian Evidence Act. (2 Marks)
- Q.5. How is a fact in reference to expert opinion relevant when it is not otherwise relevant? (1 Mark)
- Q.6. Whether Chapter VI "of the exclusion of oral by documentary evidence" of the Indian Evidence Act affect any of the provisions of the Indian Succession Act (X of 1865) as to construction of wills? (1 Mark)
- Q.7. State the rule of Indian Evidence Act as to burden of proof in matters (a) partnership and (b) ownership. (1+1=2 Marks)
- Q.8. Distinguish (i) 'estoppel' from 'presumption' and (ii) 'estoppel' from 'res-judicata'. (1+1=2 Marks)
- Q.9. What constitutes incompetency to give evidence? (1 Mark)
- Q.10. "What is in writing shall only be proved by the writing itself." Are there any exceptions to this rule? (2 Marks)
- Q.11. State the rules regarding cross-examination of a witness by his previous statement. (2 Marks)
- Q.12. Whether voters list is a public document? If so, mention the relevant fact you relied. (1+1=2 Marks)
- Q. 13. What is meant by "proving a document"?(1 Mark)

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**GROUP – F**  
**LIMITATION ACT**

- Q.1. Whether the period of limitation prescribed for filing a suit could be extended?  
(1 Mark)
- Q.2. Whether Section 5 of the Limitation Act for extension of present period is applicable in an execution proceeding for execution of a decree?  
(1 Mark)
- Q.3. State the provision under the Limitation Act, 1963 for a person under legal disability like a minor or insane for filing a suit or appeal.  
(1 Mark)
- Q.4. What are the prescribed time periods to have the legal representative of a deceased plaintiff or defendant under the Civil Procedure Code made party in a suit and the starting point for running the prescribed period of time?  
(2 Marks)
- Q.5. What are the prescribed time period and the time for from which period begin to run in a suit by a mortgage for foreclosure and for possession of immovable property mortgaged?  
(2 Marks)
- Q.6. Discuss extinguishment of right to property and acquisition of ownership by way of prescription.  
(3 Marks)
- Q.7. What is the time period stipulated for a suit to enforce a right to share in a joint family property by a person excluded from such joint property?  
(1 Mark)

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# **THE GAUHATI HIGH COURT**

**(The High Court Of Assam, Nagaland, Mizoram & Arunachal Pradesh)**

Main Written Examination For Direct Recruitment to Grade-I of Assam Judicial Service, 2019.

**Date: 07.03.2020**

**Time: 9 AM to 12 PM**

**Total Marks: 100**

**Duration: 3 Hours**

## **(PAPER-III)**

### **CONSTITUTIONAL LAW(40 MARKS)**

1. Write an essay on the Constitution of India. (10 Marks)
2. Write an essay on amendment of the Constitution with special reference of 'Basic Structure Doctrine'. (10 Marks)
3. Write short notes on any of the four topics: (5 X 4= 20 Marks)
  - (i) Doctrine of fairness and transparency in matters of distribution of State Largesse.
  - (ii) Plenary Powers of the High Court under Article 226 of the Constitution of India.
  - (iii) The expanding contours of Article 21 of the Constitution of India.
  - (iv) Doctrine of Harmonious Construction.
  - (v) Sixth Schedule of the Constitution of India.

### **JURISPRUDENCE (20 MARKS)**

4. Write brief notes on any two of the following subjects: (10 X 2=20 Marks)
  - (i) Sources of Law.
  - (ii) Codification of Tortious Liability.
  - (iii) A comparison of definition of 'Law' as per Aristotle and Roscoe Pound.
  - (iv) Presumption of constitutionality in favour of a Statute.

### **JUDGMENT WRITING (40 MARKS)**

5. Write a Judgment on the basis of materials available in the enclosed Paper Book.



# **PAPER BOOK**

**DIST. — KAMRUP**

**SRI PRAMOD BORO**

**Vs.**

**THE STATE OF ASSAM & ORS.**

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①

Seen  
Sd/- Illegible  
CJM (K)  
Dt. 8.11.12

Assam Schedule XLA (I) F.I.R.

**FIRST INFORMATION REPORT**

(Under Section 154 Cr.P.C)

**GR No. – 11519/12**

1. District- **Kamrup(M)** P.S.: **Sonapur** Year: **2012** FIR No.: **341** Date- **08-11-12**
  
2. (i) Act: **I.P.C** Sections: **120(B)/302/34**  
(ii) Act: ..... Sections: .....  
(iii) Act: ..... Sections: .....  
(iv) Other Acts & Sections: .....
  
3. (a) General Diary Reference: Entry No.: ..... Time: .....  
(b) Occurrence of Offence: Day: **Wed Day** Date: **07-11-12** Time: **11 PM**  
(c) Information Received Date- **08-11-12** Time- **7 AM** G.D. No.: .....  
at the Police Station
  
4. Type of Information: **Written**
  
5. Place of Occurrence:  
(a) Direction and Distance from P.S.: **North from PS, 6 KM**

(b) Address: **Belguri village, PS- Sonapur, Dist.- Kamrup (M), Assam**

.....Beat No.....

(c) In case outside limit of this Police Station then the Name of P.S- .....

..... District.....

6. Complainant/Information:

(a) Name – **Sri Haren Deka, Ph- 9954092456 (M)**

(b) Father's Name – **Lt. Daya Ram Deka**

(c) Date/Year of Birth – **1973 (1/3/1993)**

(d) Nationality – **Indian**

(e) Passport No. .... Date of Issue ..... Place of Issue .....

(f) Occupation – **Cultivator**

(g) Address – **Jagiroad, Nakhola, P.S.- Jagiroad, Marigaon**

7. Details of known/Suspected/Unknown accused with full particulars:

**Accd. Sri Pramod Boro, S/o- Sri Debiram Boro and (2) Sri Lakhana Boro,  
W/o- Sri Debiram Boro, both are village- Belguri, P.S.- Sonapur, Dist.-  
Kamrup (M), Assam**

8. Reasons for delay in reporting by the Complaint/Informant .....

.....  
.....

9. Particulars of Properties stolen/involved: (Attach separate Sheet, if necessary).....

.....  
.....  
.....  
.....

10. Total Value of Properties Stolen/Involved.....

11. Inquest Report/ U.D. Case No., if any: .....

12. F.I.R. Contents: (Attach separate sheets, if reqd.)-

**The written complaint of the complainant is received at P.S. and treated as FIR which is enclosed here with**

13. Action taken: Since the above report reveals Commission of Offence(s) U/S as mentioned at Item No. 2 registered the case and took up the investigation/directed:

**S.I. Padma Kt. Borah, PSI take the investigation of the case**

to take up the investigation/transferred to P.S.: ..... on point jurisdiction F.I.R. read over to the Complainant/Informant involved to be correctly recorded and a copy given to the Complainant/Informant free of cost.

4

**Sd/- Sri Haren Deka**

Signature/Thumb impression

of the Complainant/Informant

*Sd/- Rabindranath Das*

*S.I., R.N. Das*

*Officer In-charge*

*Sonapur Police Station*

*8/11/12*

Signature of the Officer in charge

Police Station

Name.....

Rank.....

Number if any.....

5

Ext.- 1  
Sd/- Illegible  
Judge  
29/5/13

Seen  
Sd/- Illegible  
CJM (K)  
Dt. 8.11.12

To

The Officer-in-Charge  
Sonapur Police Station

Date: 08.11.2012

Sub: Ejahar  
Informant: Sri Haren Deka (39)  
S/o- Late Dayaram Deka  
R/o- Na-khola, Jagiroad  
P.S.- Jagiroad, Morigaon, Assam

Sir,

Humble submission is that at about 11 p.m. on 07-11-2012, the below mentioned accused persons hatched a conspiracy and killed my niece Pinky Boro in a planned manner and hanged her body from a batten in the roof. Be it stated here that I had given my niece Pinky Boro in marriage to Promod Boro of Belguri under Sonapur P.S. Sri Promod Boro secretly entered into second marriage with Sri Kanika Pathak of Dharamtul village in Morigaon district. As a result of that, family discord arose and in order to remove obstacle from the path, Sri Promod Boro and his mother Sri Lakhana Boro at first subjected Pinky Boro to physical torture and thereafter strangled her to death with a rope.

I, therefore, pray to you to apprehend the below named accused persons in connection with the above mentioned incident and register a case against them as per the provisions in the Indian Penal Code and oblige.

6

Names of the accused:

1. Sri Promod Boro
  2. Sri Lakhana Boro
- Both are residents of  
Belguri, P.S.- Sonapur  
Dist.- Kamrup (M), Assam

*Ext.- 1(1)*  
*Sd/- Illegible*  
*Judge*

Yours Faithfully,  
Sd/- Sri Haren Deka  
Jagiroad (Na-khola), P.S.- Jagiroad  
Dist.- Morigaon, Assam  
M. No. 99540-92456  
08.11.2012

Drafted by:

Sd/- Hema Karmakar  
Vill.- Sonapur  
P/S- Sonapur  
Dist.- Kamrup (M) (Assam)  
08/11/2012

Received Sonapur P.S. Case No.- 341/012 U/s- 120(B)/302/34 I.P.C. S.I. Padma  
Kt. Bora will be take investigation of the case.

*Sd/- S.I. Rabindranath Das*  
*8/11/12*  
*S.I., R.N. Das*  
*Officer In-charge*  
*Sonapur Police Station*

7

Assam Schedule VIII, Form No. 250

High Court Criminal Process No. 38

Sess 32(K) 2013

**CHARGES WITH TWO HEADS**

(No. XXVIII (II), SCHEDULE V, Act V, 1898)

(Sections 221, 222, 223, Code of Criminal Procedure)

(1) Name and Office of  
Magistrate etc.

I, (1) **Mrs. J. Sarma**

**Addl. Sessions Judge No. 3**

**Kamrup, Guwahati**

(2) Name of accused person

hereby charge you (2)

**1. Sri Promod Boro**

**2. Smt. Lakhyona Boro**

as follows:-

(3) My cognisance or the  
cognisance of the Court  
Session

First -- That you, on or about the on  
**7/11/2012 at 11 PM at Nakhala under Jagiroad  
P.S.**

day of at

**Both of you in furtherance of your common  
intention agreed to do an illegal act i.e. to hang**

8

**your niece Pinki with a rope and beside the above agreement, you hanged her**

and thereby committed an offence punishable under Section the Indian (...page torn...) Penal Code, and within (3) **my cognisance**

Secondly -- That you, on or about the **on the same day and same place**

day of \_\_\_\_\_ at

**you committed murder intentionally causing death of Pinki Boro in furtherance of your common intention**

and thereby committed an offence punishable under Section the Indian (...page torn...) Penal Code, and within (3) **my cognisance**

(4) In case tried by Magistrates, and by the said Court

And I hereby direct that you be tried (4) by the said Court on the said Charge.

Dated this 28<sup>th</sup> day of Feb. 2013 20

9

The charge U/s- 120(B)/302/34 IPC is framed, read over and explained to the accused persons to which they plead not guilty and claim to be tried.

Sd/- Illegible

28/2/13

Magistrate

G.R. 11519/12

State v/s Pramod Boro & Ors.

U/s 302/120(B)/34 I.P.C.

17/1/13

Accused Pramod Boro and Lakhyana Boro are produced from jail. Heard.  
Perused GR.

This case has been charge sheeted U/s 120(B)/302/34 I.P.C. Hence matter is triable by Court of Sessions. So copy is furnished. This case is committed to Hon'ble Court of Sessions Kamrup. Inform Ld. P.P. accordingly. Accuseds are sent to jail to be produced before Hon'ble Sessions Court Kamrup on next date.

Fix 29/1/13 for production before Sessions Court.

*Sd/- V.K. Singh*  
*Judicial Magistrate*  
*1<sup>st</sup> Class Kamrup*  
*Guwahati*

Copy to: Public prosecutor for information and necessary action.

*Sd/- Illegible*  
*Judicial Magistrate*  
*1<sup>st</sup> Class Kamrup*  
*Guwahati*

(11)

Assam Schedule VIII, Form No. 93

High Court Criminal Form No. (M) 83

Sessions Case No. 32(K)/13

FORM FOR RECORDING DEPOSITION

**THE DEPOSITION OF P.W.:- 1**

Aged about 72 Years taken in oath or solemn affirmation under provisions of the Indian

Oaths Act X of 1878, before me

**S.K. Poddar, AJS**

**Addl. Sessions Judge No.- 3**

**Kamrup, Guwahati**

This **22.04.2013**

day of

My name is : **Sri Dinanath Boro**

My father's name is : **Late Gendhera Boro**

I am

By Caste :

My house is at Mauza:

Police Station :

District :

I reside at present in Mauza : **Vill.- Belguri** Police Station : **Sonapur**

District : **Kamrup (M)**

Where I am : **Cultivation**

On oath

I do not know complainant Haren Deka. I know the two accused present in the court. Pinky Boro is the wife of accused Promod Boro. Accused Lakhana Boro is the mother of accused Promod Boro. The incident took place on the 7<sup>th</sup> of November a couple of months ago. The marriage between Pinky Boro and Promod was solemnized some

eight years ago. They have a son. I have heard that Promod has married another woman and kept her at a different place. I have not seen him bringing her home. Although their conjugal life went on smoothly during the first few years after the marriage, I came to know that trouble started to emerge between Pinky and Promod during the last couple of years. Accused Lakhana Boro lives with Promod. If any quarrel takes place in their house, the same can be heard from my house. On 7th November, I heard a quarrel going on in their house and also heard Pinky Boro wailing and weeping. I heard her wailing and weeping since 3 p.m. onwards. On the following day, i.e., on 8<sup>th</sup> of November, Promod's family members came to me and took me to the accused person's house. Going to the accused person's house, I found Pinky Boro hanging by a rope from a wooden batten in the ceiling. When I reached Promod's house, other villagers were present there too. I went there at about 6-30. Some two hours thereafter, police arrived there. I went there again. Police brought down Pinky's dead body and sent it for post mortem examination. Police took my statement.

(At this stage the witness is declared Hostile by Ld. Addl. P.P. and he is allowed to be cross examined by prosecution)

It is true that while making statement before police I stated in this manner- "From 11/12 a.m. onwards till 3/4 p.m. in the afternoon on 7-11-12, I saw Promod Boro quarrelling with his wife Pinky Boro and kicking her like a football by pulling her hair and also saw his mother beating her with a bamboo stick amid the ensuing quarrel. Thereafter, from the evening hours that day, no voices from their house could be heard".

In my aforesaid statement, when I said that mother had assaulted her, I referred to Promod's mother.

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XXXXXXXXXX

Promod's house is some 100 feet away from that of mine. A road separates our houses. I have visiting terms with Promod's family. I am not aware if Pinky Boro tried to commit suicide either by consuming poison while in her mother's house or by trying to get electric shock in her husband's house. I am not aware if Pinky attempted to commit suicide four (4) times.

Even if Pinky committed suicide on the day of the incident, I have no knowledge about that.

Sd/- Dina Nath Boro

*R.O. & A.C*  
*Sd/- Illegible*  
*22.04.2013*

Assam Schedule VIII, Form No. 93

High Court Criminal Form No. (M) 83

Sessions Case No. 32/13

FORM FOR RECORDING DEPOSITION

**THE DEPOSITION OF P.W.:- 2**

Aged about 50 Years taken in oath or solemn affirmation under provisions of the Indian

Oaths Act X of 1878, before me

**S.K. Poddar, AJS**

**Addl. Sessions Judge No.- 3**

**Kamrup, Guwahati**

This **22.04.2013** day of

My name is : **Sri Ranjit Basumatary**

My father's name is : **Late Tagar Basumatary** I am

By Caste : My house is at Mauza:

Police Station : District :

I reside at present in Mauza : **Belguri (Digaru)** Police Station : **Sonapur**

District : **Kamrup** Where I am : **Head Master of Panbari**

**H. School**

On oath

Complainant Haren Deka is known to me from today only. Accd. Pramod Boro & Lakhan Boro & victim Pinky Boro are known to me. Accd. Lakhan Boro is the mother of Pramod Boro. About 6 years back Pinky Boro was married to Pramod Boro. They have one child. On 7<sup>th</sup> Nov. 2012, the occurrence of this case took place. On the next morning,

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after hearing cry of sister in law of Pramod, local people gathered in the house of Pramod Boro. I have also followed them. It was about 6.30 to 7 PM. On going to the house of accused, I heard that Pinky Boro committed suicide. Later on police arrived. I gave statement before police. My residence is near to the accd's residence. I have heard quarrel of accused persons with Pinky Boro.

XXXXXXXXXX

My house is at a distance of about 100 mtrs on the opposite direction of road. I have not heard about attempts made by victim for 4 times prior to this occurrence. I have not seen the dead body as I was in hurry for going to school. I have not went to see the body in hanging condition out of *shy* & fear.

Sd/- Ranjit Basumatary

*R.O. & A.C*  
*Sd/- Illegible*  
*22.04.2013*

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Assam Schedule VIII, Form No. 93

High Court Criminal Form No. (M) 83

Sessions Case No. 32/13

FORM FOR RECORDING DEPOSITION

**THE DEPOSITION OF P.W.:- 3**

Aged about 39 Years taken in oath or solemn affirmation under provisions of the Indian

Oaths Act X of 1878, before me

**S.K. Poddar, Addl. Sessions Judge No.- 3**

This **29.05.2013** day of

My name is : **Sri Haren Deka**

My father's name is : **Late Dayaram Deka** I am

By Caste : My house is at Mauza:

Police Station : District :

I reside at present in Mauza : **Vill. Jagiroad Nakhala** Police Station : **Jagiroad**

District : **Kamrup (M)** Where I am : **Cultivation**

On oath

I am the complainant of this case. I know accused Promod Boro and accused Lakhana Boro. They are present in the court today. In 2007, I gave my niece Pinky Boro in marriage to accused Promod Boro following their love affair. Since Pinky could not conceive any baby after their marriage, accused Promod Boro and his mother Lakhana Boro tortured her. As Pinky could not bear his child, accused Promod established a relationship with a girl named Konika Pathak alias Karisma. Some two and half years after their marriage, Pinky gave birth to a baby boy. But Promod married Konika Pathak

and started leading conjugal life with her by keeping her in a different place. Whenever Promod tried to bring Konika to his own house, quarrel ensued between Pinky and the accused persons. On 07-11-12, both the accused killed Pinky and kept her body hanging in her bed room. Upon learning about it from Pinky's mother Toramai Deka, I reached the accused persons' house. I saw Pinky's body hanging in the bedroom of Promod and Pinky. Upon seeing all this, I lodged a written Ejahar with Sonapur P.S. and taking along police personnel, I came to the accused person's house. Police came to the accused persons' house along with an Executive Magistrate and bringing down the dead body, held inquest on the same. I was present then and saw marks of assault on the dead body. I saw wounds in the thigh portion of the deceased's right leg. By the time police arrived at the P.O., a lot of villagers had gathered there. The village headman was present there too. Later, police sent the dead body for post mortem examination. I made statement before police in the manner in which I have deposed today.

Ext. 1 is the written Ejahar lodged by me and Ext. 1(1) is my signature therein.

Ext. 2 is the Inquest report and Ext. 2(1) is my signature there as a witness.

XXXXXXXXXX

In the morning hours on 7-11-2012, I lodged the written Ejahar in Sonapur P.S. I was not present at the moment when the murder or the suicide took place. I am not aware if Pinky had attempted to commit suicide earlier on four occasions. Promod's mother told me about Promod's relationship with Konika and his decision to marry her. Pinky's child is now two and half years old and is living with the accused presently. It is not a fact that the accused persons had not killed Pinky and kept her dead body hanging. It is not a fact that Pinky had committed suicide by keeping the door of her bedroom shut from inside. I saw a skipping rope tied around Pinky's neck. It is not a fact that I have adduced false

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evidence for the sake of my niece. It is not a fact that the accused persons did not kill Pinky.

Sd/- Sri Haren Deka

29/5/13

*R.O. & A.C*  
*Sd/- Illegible*  
*29.5.2013*

**FORM FOR RECORDING DEPOSITION**

**THE DEPOSITION of PW-4**

aged about 64 years taken in oath or solemn affirmation under provision of Oaths Act. X of 1878, before Sri. S. K. Poddar, Addl. Sessions Judge, (FTC) No. 3, Kamrup: Guwahati on this 12.08.2013

My name is:- Sri Rajen Bharali  
My Father's name is:- late Bhola Bharali  
By Caste:-  
My house is at:- VIII Belguri, Digaru  
Police station:- Sonapur  
District - KAMRUP (M)  
Where I am:- Cultivator.

**On Oath,**

The informant Haren Deka and accused persons Lakhana Boro and Pramod Boro are known to me. Accused persons are hailing from my village. Pinki Boro was the wife of Pramod Boro. 08.11.2012, in the early morning Sri Debiram Boro, the father of Pramod Boro, went to my house and stated that his son and wife took the life of his daughter in law. On this went there and saw the dead body of Pinki Boro in hanging condition but the position of body and the knot on neck of the deceased appears to me as unusual. The knot on the body was found on the middle of front side neck and not on the extreme side of neck as usual. The bed cover etc, were found in disciplined condition. The mosquito net was also in place in proper way. The condition of room was in discipline conditions. All these fact lead me suspect that the death was not committing suicide.

Pinki was married to Pramod Boro about three years back. I being a neighbour, knew that there were frequent quarrel amongst Pinki and her mother-in-law and husband. Lakhana Boro always use to misbehave Pinki as well as other villagers.

During my stay at the house of accused, police and magistrate arrived there and pulled down the dead body and make inquest over the body in presence of Gaonburah. During investigation police seized one bamboo stick, one cotton rope and one Jute rope from the house of Pramod Boro. The ropes were inside the room of Pinki. Police recorded my statement and as I deposed as stated today.

Exbt. 3 is the seizure list. Exbt. 3(i) is my signature.

M. Ex. 1 is the Bamoo Stick. M. Ex. 1 is the cotton rope. M. Ex. 1 is the Jute rope. -----XXXXXXXXXXXX----- contd.....

Rajen Bharali

Rajeev Khanna

Cross for accused persons.....

Being neighbour of Pramod Boro, I have no knowledge that prior to this occurrence, Pinki Boro attempted to commit suicide for 4 times - once by taking poison, once by touching live wire, once by jumped on pond. It is not a fact that I have knowledge of earlier occurrences and abated Pinki to commit suicide. It is not a fact that accused persons never abated in commission of suicide by Pinki Boro. It is not a fact that accused persons were no way responsible for the death of Pinki Boro. It is not a fact that Pinki Committed suicide on own by making plan.

R.O.& A.C.



**FORM FOR RECORDING DEPOSITION**

**THE DEPOSITION of PW-5**

aged about 27 years taken in oath or solemn affirmation under provision of Oaths Act. X of 1878, before Sri. S. K. Poddar, Addl. Sessions Judge, (FTC) No. 3, Kamrup: Guwahati **on this 12.08.2013**

|                       |                        |
|-----------------------|------------------------|
| My name is:-          | Miss Gitanjali Bharali |
| My Father's name is:- | Sri Rajen Bharali      |
| By Caste:-            |                        |
| My house is at:-      | Vill:- Belguri, Digaru |
| Police station:-      | Sonapur                |
| District -            | KAMRUP (M)             |
| Where I am:-          | Teacher.               |

*Gitanjali Bharali*

**On Oath,**

The informant Haren Deka and accused persons Lakhana Boro and Pramod Boro are known to me. Accused persons are hailing from my village and neighbours. Pinki Boro was the wife of Pramod Boro. 08.11.2012, at about 6 a.m. while I was waiting for my students, one of my student Nakul Boro, a student of class V, informed me that Pinki Boro died. At about 9 a.m. I went to the house of Pramod Boro and saw the dead body of Pinki Boro in hanging condition. At that time Pinki Boro was wearing blue sporting belongs to her and the saw that her Mekhela was wrapped on her waist in uncommon way. I have also suspect that the rope was kept tied at a high place with the top beam. The mosquito net was also in its place nicely. All these fact lead me suspect that the death was not by committing suicide.

Pinki was married to Pramod Boro about three years back. I have also heard that Pramod has relation with other girl. I have also heard and saw in doing physical assaults by Pramod Boro on the deceased Pinki frequently. Due to affair with another girl, quarrel took place amongst them.

Police recorded my statement and as I deposed as stated today.

-----XXXXXXXXXXXXX----- contd.....

Cross for accused persons.....

The nephew of accused used to came to my house for tuition. I never asked him for about relation of Pinki and Pramod. Being neighbour of Pramod Boro, I have no knowledge that prior to this occurrence, Pinki Boro attempted to commit suicide for 4 times - once by taking poison,

Gitanjali Patil

once by touching live wire, once by jumped on pond. It is not a fact that I have knowledge of earlier occurrences and abated Pinki to commit suicide. I can certainly say that Pinki cannot commit suicide and she has a child of about 2 years. As such she has no reason to commit suicide. It is not a fact that accused persons never abated in commission of suicide by Pinki Boro. It is not a fact that accused persons were no way responsible for the death of Pinki Boro. It is not a fact that Pinki committed suicide on own by making plan. It is not a fact that, I deposed falsely. I have no knowledge of seizure of rope.

R.O.& A.C.



**FORM FOR RECORDING DEPOSITION**

**THE DEPOSITION of PW-6**

aged about 75 years taken in oath or solemn affirmation under provision of Oaths Act. X of 1878, before Sri. S. K. Poddar, Addl. Sessions Judge, (FTC) No. 3, Kamrup: Guwahati **on this 12.08.2013**

My name is:- Sri Kamleswar Mahilary  
My Father's name is:- late Rohit Mahilary,  
By Caste:-  
My house is at:- Vill Belguri, Digaru  
Police station:- Sonapur  
District - KAMRUP (M)  
Where I am:- Cultivator.

**On Oath,**

The informant Haren Deka is not known to me. Accused persons Lakhana Boro and Pramod Boro are known to me. Accused persons are hailing from my village and neighbours. Pinki Boro was the wife of Pramod Boro. About three months back, Pinki Boro died but I cannot say how she died. I have heard about quarrel between Pinki Boro and Pramod Boro. I went there after arrival of police. At the time of death, pinki has one child aged about one year. I cannot say about their conjugal life.

Exbt. 3 is the seizure list. Exbt. 3(2) is my signature.

M. Ex. 1 is the Bamoo Stick. M. Ex. 1 is the cotton rope. M. Ex. 1 is the Jute rope.

-----XXXXXXXXXXXXX----- contd.....

Cross for accused persons.....

I have no knowledge that Pinki committed suicide on his own. Previously pinki had a good conjugal life but after four months of death, quarrel starts between them. I have no knowledge of previous attempts to commit suicide. The seized bamboo was brought from outside and asked me to sign in the seizure list.

R.O. & A.C.

  
12/8/13

97-20-02-08-2013

Assam Schedule VIII, Form No. 93

High Court Criminal Form No. (M) 83

Sess C/No. 32/13

FORM FOR RECORDING DEPOSITION

**THE DEPOSITION OF P.W.:- 7**

Aged about 27 Years taken in oath or solemn affirmation under provisions of the Indian

Oaths Act X of 1878, before me **D. Thakuria**

This **24<sup>th</sup>** day of **July 15** of

My name is : **Anjali Boro**

My father's name is : **W/o- Sri Kartik Boro** I am

By Caste : **Hindu** My house is at Mauza:

Police Station : District :

I reside at present in Mauza : **Sonapur** Police Station : **Sonapur**

District : **Kamrup (M)** Where I am : **Housewife**

On oath

I know the complainant of this case. The two accused persons are my mother-in-law and brother-in-law (husband's brother) respectively.

Pinky Boro was the wife of Accused Promod Boro. One night some three years ago, Pinky Boro died in her sleep. That day, accused Promod Boro was not at home. Accused Promod Boro was in his shop at Belguri on that day. On the day of the incident, Pinky slept alone in a room.

In the following morning, when we heard Pinky's baby crying and when Pinky didn't come out of her room, we entered inside her room by breaking open the door and found her hanging dead.

Then we informed the P.S. and called police.

Pinky and Promod had been married for about seven years. I am not aware of any quarrel between them.

Pinky's dead body was brought down after the arrival of police.

XXXXXXXXXX

Declined

Sd/- Shri Anjali Boro

*R.O. & A.C*  
*Sd/- Illegible*  
*24/7/15*

Assam Schedule VIII, Form No. 93

High Court Criminal Form No. (M) 83

Sess C/No. 32/13

FORM FOR RECORDING DEPOSITION

**THE DEPOSITION OF P.W.:- 8**

Aged about 75 Years taken in oath or solemn affirmation under provisions of the Indian

Oaths Act X of 1878, before me **D. Thakuria**

This **12<sup>th</sup>** day of **August 15** of

My name is : **Rajani Kt. Taro**

My father's name is : **Lt. Aharu Taro** I am

By Caste : **Hindu** My house is at Mauza:

Police Station : District :

I reside at present in Mauza : **Panbari** Police Station : **Sonapur**

District : **Kamrup (M)** Where I am : **Rtd. Service holder**

On oath

I don't know the complainant. I know both the accused. Their house is some 2 furlong away from my house. In the morning hours one day some two hours ago, accused Promod Boro's father Debiram Boro came to my house and told me that a serious thing had happened. He told me that his wife and son, that is, the two accused persons had killed his daughter-in-law.

A little later, I came to Debiram's house. Going to the room where the dead body of Debiram's daughter-in-law was lying, I found accused Promod standing at the

doorway. Entering inside the room, I saw that accused Promod's wife was hanging by a rope from the ceiling. The articles in the room were lying neatly arranged. The mosquito net was hung on the bed.

In the mean time, villagers arrived at the spot. Police came about one hour later. The dead body was brought down after the arrival of police. After bringing down the dead body, police examined the dead body by putting a curtain and told us that there were wounds in the dead body.

A piece of rope, about one span in length, was recovered from the room where the dead body was found. Just then, accused Lakhana Boro said before us that when her son, i.e., accused Promod pressed his wife's neck, Lakhana dealt a blow on accused Promod with a lathi. She said that she had not dealt blow on her deceased daughter-in-law.

Later, police took away the dead body.

Police seized one bamboo stick and a piece of rope. I signed as a witness in the seizure list. Ext. 3(3) is my signature in the seizure list.

XXXXXXXXXX

I did not see the deceased woman being assaulted by the accused.

I am not aware if the deceased woman had attempted suicide on four previous occasions.

It is not a fact that I have adduced false evidence today.

Sd/- Rajani Kanta Taro

*R.O. & A.C*  
*Sd/- Illegible*  
*12/8/15*

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Assam Schedule VIII, Form No. 93

High Court Criminal Form No. (M) 83

Sess C/No. 32/13

FORM FOR RECORDING DEPOSITION

**THE DEPOSITION OF P.W.:- 9**

Aged about 24 Years taken in oath or solemn affirmation under provisions of the Indian

Oaths Act X of 1878, before me **D. Thakuria**

This **13<sup>th</sup>** day of **Aug 15** of

My name is : **Biren Boro**

My father's name is : **Sri Nabin Boro** I am

By Caste : **Hindu** My house is at Mauza:

Police Station : District :

I reside at present in Mauza : **Panbari** Police Station : **Sonapur**

District : **Kamrup (M)** Where I am : **Day labour**

On oath

The accused persons are my co-villagers. My house is some 2 km away from that of the accused. I know nothing about the incident.

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XXXXXXXXXX

Cross – Declined

R.T.I. of Biren Boro

*R.O. & A.C*  
*Sd/- Illegible*  
*13/8/15*

Assam Schedule VIII, Form No. 93

High Court Criminal Form No. (M) 83

Sess C/No. 32/13

FORM FOR RECORDING DEPOSITION

**THE DEPOSITION OF P.W.:- 10**

Aged about 27 Years taken in oath or solemn affirmation under provisions of the Indian

Oaths Act X of 1878, before me **D. Thakuria**

This **13<sup>th</sup>** day of **Aug 15** of

My name is : **Pankaj Boro**

My father's name is : **Sri Kandarpa Boro** I am

By Caste : **Hindu** My house is at Mauza:

Police Station : District :

I reside at present in Mauza : **Panbari** Police Station : **Sonapur**

District : **Kamrup (M)** Where I am : **Labour**

On oath

I know both the accused persons. I heard that Promod Boro's wife had expired. I was not at home on the day of the incident. I do not know as to why Promod's wife died by hanging herself.

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XXXXXXXXXX

Cross

I was in Narengi Sat Gaon at the time of the incident.

Sd/- Finger impression of Pankaj Boro

*R.O. & A.C*  
*Sd/- Illegible*  
*13/8/15*

Assam Schedule VII, Form No.  
High Court Criminal Form No. (M) 83

FORM FOR RECORDING DEPOSITION

SESSIONS CASE NO. 32 (K)/ 2013

THE DEPOSITION of **P.W.11**

aged about 39 years taken in oath or solemn affirmation under provision of Oaths Act. X of 1878, before me SRI CHANDAN DAS, ADDL. SESSIONS JUDGE No.3, FTC, KAMRUP (METRO): GUWAHATI  
this 2<sup>nd</sup> day of August, 2016

My name is Dr. Richa Pandey,  
My Husband's name is Randeep Sharma,  
By Caste Hindu,  
Occupation- Assistant Professor, Department of Forensic Medicine,  
Guwahati Medical College & Hospital  
Police station - Chandmari Dist. Kamrup(M)  
I reside at present in- Natun Sarania

On Oath:

On 08/11/2012, while I was working as Assistant Professor, Department of Forensic Medicine, Guwahati Medical College & Hospital and on that day, I conducted post-mortem examination over the dead body named; Pinki Boro, 26 years, W/o. Sri Promud Boro, Vill- Belóguri, P.S. Sonapur, District- Kamrup (Assam) with reference to Sonapur P.S. Case No. 341/12 u/s. 302/34 I.P.C. The dead body was brought and identified by constable No.1265 Abdul Kuddus and Sri Kartik Baro and on examination, I found the followings -

A female dead body of average built, swarthy complexion, found weaving a blue coloured half sporting, an orange coloured blouse, a white 'mekhela' and a white petticoat. Eyes and mouth are partly opened. Body is cold to touch. Rigor-mortis is present in both upper and lower limbs natural orifice are found healthy.

Injuries - (1) Contusion of size 5cm. X 4cm. is present over anterolateral aspect of left deltoids are at upper half. An oblique, non-continuous legature mark of size 28cm. X 1cm. is present around the neck above the thyroid cartilages, high up in the neck. The non - continuity being position of the knot is present over right mastoid area. Externally, the ligature and dark brown in colour. On dissection, the neck-tissue underneath the ligature mark are pale, glistening parchmantized

(33)

surrounded by an area of congestion. Other neck tissue are found healthy. Thyroid bone and thyroid cartilages are found intact.

Following Viscera packed, sealed labelled & sent to SFL, Kahilipara for Chemical analysis - Part (I) Contains portion of lung, liver, stomach with its content. Part-(II) Dry specimen of bone (sternum), Part-(III) Saturated & of naca / preservative used.

Abdomen - 1. Walls- healthy, 2. Peritoneum - congested, 3. Mouth, pharynx, esophagus - Mucosa are congested. 4. Stomach and its contents - Mucosa congested. Cavity contains liquid food material without any suspicious smell. 5. Small intestine and its contents - Mucosa congested, cavity contains glu like material without any suspicious smell. 6. Large intestine and its contents - Mucosa congested, cavity contains gaseous and fecal matter.

On examination Thorax - 1) Walls ribs and cartilages - Walls - healthy, Ribs and cartilages - all are healthy. 2) Pleurae - congested. 3) Larynx and trachea - Mucosa are congested. Right lung and left lung - Both are congested. Petechial haemorrhage are present on surface at places, Pericardium - Congested Heart - Congested, chamber contain liquid blood. Vessels- All are congested. 4) Injury - As described. 5) Disease or deformity - Not detected. 6) Fracture - Not detected. 7) Dislocation - Not detected.

Cranium and Spinal Canal - Scalp - healthy, skull - healthy, vertebrae - all are Healthy. 2) Membrane - Congested. 3) Brain and spinal cord - Brain - congested, Spinal cord- not examined. 4) Liver - Congested, 5) Spleen - healthy, 6) Kidneys- Both are congested, 7) Bladder - Mucosa-congested, Cavity - empty. 8) Organs of generation, external, and internal- External- as described and internal - Uterus healthy and empty. Others are healthy.

Opinion -

Cause of death was due to asphyxia at a result of ante-

*Prithvi Prasad*  
02/08/16

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~~54~~

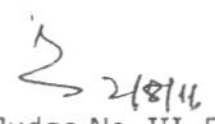
§

mortem suicidal hanging. The injury described was ante-mortem and caused by blunt force impact. Cause of death approximate time 12 to 24 hours.

Ext.4 is the post-mortem examination report and Ext-4(1) is my signature and Ext-4(2) with the signature of Dr. S.M.I. Kabir, the signature is known to me and Ext-4(3) to the signature of Dr. R. Chalilha which is known to me.

X X X X  
Nil

RO & AC



Addl. Sessions Judge No. III, FTC,  
Kamrup (Metro) Guwahati

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Assam Schedule VIII, Form No. 93

High Court Criminal Form No. (M) 83

Sess C/No. 32/13

FORM FOR RECORDING DEPOSITION

**THE DEPOSITION OF P.W.:- 12**

Aged about 55 Years taken in oath or solemn affirmation under provisions of the Indian

Oaths Act X of 1878, before me **D. Thakuria**

This **6<sup>th</sup>** day of **April 2017** of

My name is : **Padma Kt. Bora**

My father's name is : **Lt. Uma Ram Bora** I am

By Caste : **Hindu** My house is at Mauza:

Police Station : District :

I reside at present in Mauza : **Mikirbheta** Police Station : **Mikirbheta**

District : **Morigaon** Where I am : **S.I. of Police**

On oath

On 08-11-2012, I was posted at Sonapur P.S. That day, one Haren Deka lodged a written Ejahar with the P.S. informing that at about 11 p.m. on 07-11-2012, accused Promod Boro and his mother Lakhana Boro had killed Haren Deka's niece Pinky Boro and kept her body hanging.

On receiving the Ejahar, the O/C of the P.S. Rabindra Nath Das registered a case u/s 120(B)/302/34 IPC and entrusted me with the charge of investigation.

Around 7-20 a.m. on 08-11-2012, I left for the P.O. which is 6 km away. After arriving at the P.O., I inspected it and prepared a sketch map of the same.

I saw Pinky Boro's dead body hanging on her bed room. Then I informed the matter to the Circle Officer of Sonapur Mr Bipul Das. Since he was an Executive Magistrate, I brought down the dead body as per his order. Executive Magistrate held inquest on the dead body and prepared inquest report.

I seized one bamboo stick, a piece of jute rope and a piece of cotton fibre rope in presence of witnesses.

I sent the dead body to Guwahati Medical College & Hospital for autopsy.

I took statements of the witnesses at the P.O. I arrested both the accused on that day itself and forwarded them to the court.

I collected the post mortem examination report and submitted charge sheet against the accused for committing offence punishable u/s 120(B)/302/34 IPC.

Ext. 5 is the sketch map of the P.O. prepared by me and Ext. 5(1) is my signature therein.

Ext. 3 is the Seizure List and Ext. 3(1) is my signature therein.

Ext. 6 is the Charge sheet and Ext. 6(1) is my signature therein.

XXXXXXXXXX

Cross

The complainant is the maternal uncle (mother's brother) of the deceased. He lodged the complaint on the following day of the incident.

I am not aware if the deceased had attempted to commit suicide on three earlier occasions.

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By the time I reached the P.O., the door of the room in which the dead body was hanging, was open.

It is not a fact that the accused persons are not involved with this incident.

Sd/- Padma Kt. Borah S.I.

R.O. & A.C  
Sd/- Illegible  
6/4/17

Assam Schedule VIII, Form No. 93

High Court Criminal Form No. (M) 83

Sess C/No. 32/13

FORM FOR RECORDING DEPOSITION

**THE DEPOSITION OF P.W.:- 13**

Aged about 43 Years taken in oath or solemn affirmation under provisions of the Indian

Oaths Act X of 1878, before me **D. Thakuria**

This **2<sup>nd</sup>** day of **June 17** of

My name is : **Bipul Kr. Das**

My father's name is : **Lt. Basu Deb Das** I am

By Caste : **Hindu** My house is at Mauza: **Kulhati**

Police Station : **Hajo** District : **Kamrup**

I reside at present in Mauza : **Beltola** Police Station : **Basistha**

District : **Kamrup (M)** Where I am : **Deputy Secy.**

**Health & Family Welfare**

On oath

On 08-11-2012 I was working as Circle Officer at Circle Office, Sonapur. At that time I performed my duty as an Executive Magistrate

On that day I conducted inquest on dead body of Pinki Boro in the residence of Debiram Boro of village Belguri. The inquest was done I/C with Sonapur P.S. C/No.- 341/12.

The dead body was identified by one Kartik Boro son of Debiram Boro.

Inquest was done at 9.30 AM in presence of Sri Haren Deka, Kartik Boro, Debiram Boro & Tantia Mia. Tantia Mia is the village head man of Belguri village.

At the time of visit I found the dead body was hanging in a room.

As per my instruction the dead body was brought to the ground.

I found swelling in the eye portion (left side) with reddish mark.

Injury in the neck portion in right side (Blackish sign with blood stain).

In the back side of chest some injuries were seen.

Blood stain was found in the fore finger.

Ligature mark in neck was not detected.

As per my opinion it was not a case of suicide. So I recommended for proper investigation.

Ext. 2 is the inquest report. Ext. 2(1) is my signature.

I prepared the Ext. 2 on spot in presence of witnesses and obtained signatures of witnesses.

Cross

On that day at about 8 PM O/C Sonapur P.S. informed me about the incident & requested to conduct inquest over the dead body.

It is not a fact that my opinion <sup>was</sup> not correct.  
^

Sd/- Sri Bipul Kumar Das

R.O. & A.C  
Sd/- Illegible  
2/6/17

Annexure Schedule VIII, Form No. 93  
High Court Criminal Form No (M) 83

FORM FOR RECORDING DEPOSITION

THE DEPOSITION of D. W. 1

aged about 33 years taken in oath or solemn affirmation under provisions of the Indian Oaths Act. X of 1878 before me D. Thakuria Additional Sessions Judge (FTC) No. 3 Kamrup (M) Guwahati 30<sup>th</sup> day of August 2017.

My name is Pramod Boro

My father's name is Lt. Debiram Boro.

Religion Hindu My house at mouza

Police Station District

I reside at present in Mouza Panbari Police Station Sonapur

District Kamrup (M) where I am a labour.

On oath

On 07-11-2012 I was in my shop which is situated just 100mts away from my house. My wife Pinki Boro was sleeping in my residence with my two and half years old son.

My wife attempted to commit suicide four times before the incident.

As I was not with my wife at the time of incident; so, she was able to commit suicide.

Informant is the maternal uncle of my wife.

Informant lodged a false case against me.

XXXXXXXXXXXXXXXXXXXX

Cross.

It is not a fact that I had affairs with another girl and for this reason the relationship with my wife was not cordial and she attempted to commit suicide earlier also.

It is not a fact that I with my mother killed my wife Pinki and hanged her.

It is not a fact that after killing my wife I was sleeping in my shop.

RO&AC  
2/8/17

Pramod Boro.

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SESSION CASE NO. 32(K)/2013

Assam Schedule VIII Form No. 99

High Court Criminal Form No [M] 85

FORM OF RECORDING EXAMINATION OF ACCUSED

EXAMINATION OF ACCUSED PERSON

(Section 313 Cr. P. C.)

The examination of accused Lakshna Boro aged about 55 years, taken before me D. Thakuria Addl. Sess. Judge (FTC) No. 3 on the 4<sup>th</sup> day of July 2017 in the English language interpreted by the Court.

My name is Lakshna Boro.

My husband's name is Late Debi Ram Boro.

I am by caste Hindu and by occupation housewife.

My home is at Mouza Panbari police station Sonapur.

District Kamrup (M) I reside at village Belguri.

Q. Allegations are levelled against you and another that on 07-11-2012 at about 11 p.m. at village Belguri under Sonapur P. S. both of you committed criminal conspiracy and killed on Pinki Boro, the niece of the complainant Haren Deka and thereafter hung her body. What is your reply?

A. The allegations are false.

Q. P. W. 1 Dinanath Boro has deposed that he heard occurrence of quarrel with you and Pinki Boro. On 7<sup>th</sup> of November 2012 he heard quarrel between you and Pinki Boro and heard cry of Pinki Boro. What is your reply?

A. Nothing has happened on that day?

Q. P. W. 1 has further deposed that on the next day morning he saw that Pinki Boro was hanging in her room. What is your reply?

A. Pinki committed suicide.

৪ ১৭/১২

Q. P. W. 2 Ranjit Basumatary has deposed that that on 8<sup>th</sup> November 2012 he saw that Pinki Boro committed suicide in your house. What is your reply?

A. It is true.

Q. P. W. 3 Haren Deka has deposed that in the year 2007 marriage between his niece Pinki Boro was solemnized with your son Pramod Boro. She had no issue; so, she was tortured by you. Thereafter your son married another girl. After two and half years Pinki gave birth to a male child. You were tried to bring Kanika to your house and Pinki objected. On 07-11-2012 you and your son killed Pinki and hung her. He saw the dead body and filed ejahar. What is your reply?

A. He has deposed falsely.

Q. P. W. 3 has exhibited the ejahar as ext. 1 and the inquest report as Ext. 2.

A. I have nothing to say.

Q. P. W. 4 Rajen Bharali has deposed that on 08-11-2012 your husband Debiram Boro visited his house and told him that his wife and son took the life of his daughter-in-law. He went to your house and saw that the dead body of Pinki Boro in hanging condition but the position of the body and knot on neck of the deceased appears to him unusual. The knot on the body was found on the middle of front side neck and not on the extreme side of neck as usual. The bed cover etc. were found in disciplined condition. The mosquito net was also in place in proper way. The condition of the room was in discipline condition. All these facts lead him to suspect that the death of Pinki was committing suicide. What is your reply?

A. I know nothing. But fact is that Pinki committed suicide.

Q. P. W. 4 has further deposed that in his presence the Magistrate did inquest on the dead body of Pinki and police seized a bamboo stick, one cotton rope and one jute rope. What is your reply?

A. I know nothing.

Q. P. W. 4 has exhibited the seizure list as Ext. 3 and seized bamboo stick, cotton and jute ropes as M. Ext. 1 What is your reply?

A. I know nothing.

Q. P. W. 5 Gitanjali Bharali has deposed that on 08-11-2012 she heard that Pinki Boro died. She went to your house and saw the dead body of Pinki Boro in hanging condition. At that time the deceased was wearing blue sporting and also saw that that her Mekhela was wrapped on her waist in uncommon way. So, she has also suspected that the rope was kept tied at a high with the top beam. The mosquito net was also in place nicely. All these facts leads her to suspect that the death of Pinki was not due to suicide. What is your reply?

A. She has deposed falsely.

Handwritten notes in Odia script, possibly indicating a date or reference number.

Handwritten notes in Odia script at the bottom left corner.

Q. P. W. 6 Kamaleswar Mahilari has deposed that in his presence M. Ext. 1, bamboo stick, cotton and jute rope were seized by police vide Ext. 3 seizure list. What is your reply?

A. I know nothing.

Q. P. W. 8 Rajani Kt. Taro has deposed that one morning Debiram Boro came to his house and told him that his son and wife killed his daughter-in-law. So, he visited your house and saw that the dead body of Pinki Boro was hanging in the room. The articles inside the room were in perfect condition. After one hour police came and brought the dead body to ground and after inspecting police told him that there was mark of injuries. Police recovered a bamboo piece from the room. You told him that while your son strangled the neck of Pinki then she assaulted you with the stick. Police seized bamboo piece and rope vide Ext. 3 seizure list. What is your reply?

A. He has deposed falsely.

Q. P. W. 11 Dr. Richa Pandey has deposed that on 08-11-2002 she conducted post mortem examination over the dead body of Pinki Boro in connection with Sonapur P. S. Case No. 341/2012 u/s 302/34 IPC. She has exhibited the post mortem examination report as Ext. 4 with her signature as Ext. 4 (1). According to her the cause of death of the deceased was due to asphyxia as a result of ante-mortem suicidal hanging. What is your reply?

A. I know nothing.

15/11/2012

Q. P. W. 12 Padma Kt. Boro has deposed that on 08-11-2012 he was working at Sonapur police station. On that day one Haren Deka lodged an ejahar stating that on 07-11-2012 you and another killed his niece and hung her. The ejahar was registered by O. C. Sonapur P. S. under sections 120-B/302/34 IPC and he was entrusted to investigate the case. At about 7.20 a.m. he visited the place of occurrence, inspected the place of occurrence and prepared a sketch map of place of occurrence (Ext. 5). He saw the dead body was hanging and informed Sonapur Circle Officer who was also the Executive Magistrate. As per direction of the Magistrate he brought the dead body to the ground. Executive Magistrate prepared the inquest on the dead body. He seized a bamboo stick, one rope of cotton and another rope of jute in presence of witness. He sent the dead body to GMCH for post mortem examination. He arrested you in connection with the case. After collecting post mortem examination report he has submitted charge sheet against you and another under section 120-B/302/34 IPC vide Ext. 6. What is your reply?

A. A false case is filed against me. I was arrested without any basis.

Q. P. W. 13 Bipul Kr. Das has deposed that on 8<sup>th</sup> November 2012 he was working as Circle Officer at Sonapur Revenue Circle with the power of Executive Magistrate. He was informed about the death of Pinki Boro. So, he visited the place of occurrence. He instructed to bring the dead body down. He conducted inquest over the dead body of Pinki Boro. He saw a swelling in the eye portion of the deceased, injury in the neck, he saw some injuries in the back side of the chest, he detected blood stain in the fore finger, he had not detected ligature mark. As per him it was not a case of suicide. He has exhibited inquest report as Ext. 2 with his signature as Ext. 2 (1). What is your reply?

8/11/12

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A. I know nothing.

Q. Do you want to say anything?

A. No.

Q. Do you want to adduce evidence in defence?

A. Yes.

ଶ୍ରୀ ନରସିଂହ ରାଉତ  
(Signature of the accused)

ଶ୍ରୀ ରାମଚନ୍ଦ୍ର  
(Signature of Judge)

The above examination was taken in my presence and hearing and contains a full and true account of the statement made by the accused.

ଶ୍ରୀ ରାମଚନ୍ଦ୍ର  
(Signature of Judge)

ଶ୍ରୀ ରାମଚନ୍ଦ୍ର ରାଉତ

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SESSION CASE NO. 32(K)/2013

Assam Schedule VIII Form No. 99

High Court Criminal Form No [M] 85

FORM OF RECORDING EXAMINATION OF ACCUSED

EXAMINATION OF ACCUSED PERSON

(Section 313 Cr. P. C.)

The examination of accused Pramod Boro aged about 34 years, taken before me D. Thakuria Addl. Sess. Judge (FTC) No. 3 on the 4<sup>th</sup> day of July 2017 in the English language interpreted by the Court.

My name is Pramod Boro.

My father's name is Late Debi Ram Boro.

I am by caste Hindu and by occupation Contractor.

My home is at Mouza Panbari police station Sonapur.

District Kamrup (M) I reside at village Belguri.

Q. Allegations are levelled against you and another that on 07-11-2012 at about 11 p.m. at village Belguri under Sonapur P. S. both of you committed criminal conspiracy and killed on Pinki Boro, the niece of the complainant Haren Deka and thereafter hung her body. What is your reply?

A. The allegations are false.

Q. P. W. 1 Dinanath Boro has deposed that he heard occurrence of quarrel with you and Pinki Boro. On 7<sup>th</sup> of November 2012 he heard quarrel between you and Pinki Boro and heard cry of Pinki Boro. What is your reply?

A. Nothing has happened on that day?

Q. P. W. 1 has further deposed that on the next day morning he saw that Pinki Boro was hanging in her room. What is your reply?

A. Pinki committed suicide.

8-11/17

D  
Pramod  
Boro,

Q. P. W. 2 Ranjit Basumatary has deposed that that on 8<sup>th</sup> November 2012 he saw that Pinki Boro committed suicide in your house. What is your reply?

A. It is true.

Q. P. W. 3 Haren Deka has deposed that in the year 2007 marriage between his niece Pinki Boro was solemnized with you. She had no issue; so, she was tortured by you. Thereafter you married another girl. After two and half years Pinki gave birth to a male child. You were tried to bring Kanika to your house and Pinki objected. On 07-11-2012 you killed Pinki and hung her. He saw the dead body and filed ejahar. What is your reply?

A. He has deposed falsely.

Q. P. W. 3 has exhibited the ejahar as ext. 1 and the inquest report as Ext. 2.

A. I have nothing to say.

Q. P. W. 4 Rajen Bharali has deposed that on 08-11-2012 your father Debiram Boro visited his house and told him that his wife and son took the life of his daughter-in-law. He went to your house and saw that the dead body of Pinki Boro in hanging condition but the position of the body and knot on neck of the deceased appears to him unusual. The knot on the body was found on the middle of front side neck and not on the extreme side of neck as usual. The bed cover etc. were found in disciplined condition. The mosquito net was also in place in proper way. The condition of the room was in discipline condition. All these facts lead him to suspect that the death of Pinki was committing suicide. What is your reply?

A. I know nothing. But fact is that Pinki committed suicide.

Q. P. W. 4 has further deposed that there were frequent quarrel between you and Pinki. In his presence the Magistrate did inquest on the dead body of Pinki and police seized a bamboo stick, one cotton rope and one jute rope. What is your reply?

A. I know nothing.

Q. P. W. 4 has exhibited the seizure list as Ext. 3 and seized bamboo stick, cotton and jute ropes as M. Ext. 1 What is your reply?

A. I know nothing.

Q. P. W. 5 Gitanjali Bharali has deposed that on 08-11-2012 she heard that Pinki Boro died. She went to your house and saw the dead body of Pinki Boro in hanging condition. At that time the deceased was wearing blue sporting and also saw that that her Mekhela was wrapped on her waist in uncommon way. So, she has also suspected that the rope was kept tied at a high with the top beam. The mosquito net was also in place nicely. All these facts leads her to suspect that the death of Pinki was not due to suicide. What is your reply?

A. He has deposed falsely.

Q. P. W. 5 has further deposed that you had affairs with another girl and saw that you were physically assaulted Pinki. What is your reply?

A. He has deposed falsely.

Premod Boro.

24/12

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Q. P. W. 6 Kamaleswar Mahilari has deposed that in his presence M. Ext. 1, bamboo stick, cotton and jute rope were seized by police vide Ext. 3 seizure list. What is your reply?

A. I know nothing.

Q. P. W. 8 Rajani Kt. Taro has deposed that one morning Debiram Boro came to his house and told him that his son and wife killed his daughter-in-law. So, he visited your house and saw that the dead body of Pinki Boro was hanging in your room. The articles inside the room were in perfect condition. After one hour police came and brought the dead body to ground and after inspecting police told him that there was mark of injuries. Police recovered a bamboo piece from the room. Lakshna Boro told him that while you were strangling the neck of Pinki then she assaulted you with the stick. Police seized bamboo piece and rope vide Ext. 3 seizure list. What is your reply?

A. He has deposed falsely.

Q. P. W. 11 Dr. Richa Pandey has deposed that on 08-11-2002 she conducted post mortem examination over the dead body of Pinki Boro in connection with Sonapur P. S. Case No. 341/2012 u/s 302/34 IPC. She has exhibited the post mortem examination report as Ext. 4 with her signature as Ext. 4 (1). According to her the cause of death of the deceased was due to asphyxia as a result of ante-mortem suicidal hanging. What is your reply?

A. I know nothing.

Pranod Boro.  
Q. P. W. 12 Padma Kt. Boro has deposed that on 08-11-2012 he was working at Sonapur police station. On that day one Haren Deka lodged an ejahar stating that on 07-11-2012 you and another killed his niece and hung her. The ejahar was registered by O. C. Sonapur P. S. under sections 120-B/302/34 IPC and he was entrusted to investigate the case. At about 7.20 a.m. he visited the place of occurrence, inspected the place of occurrence and prepared a sketch map of place of occurrence (Ext. 5). He saw the dead body was hanging and informed Sonapur Circle Officer who was also the Executive Magistrate. As per direction of the Magistrate he brought the dead body to the ground. Executive Magistrate prepared the inquest on the dead body. He seized a bamboo stick, one rope of cotton and another rope of jute in presence of witness. He sent the dead body to GMCH for post mortem examination. He arrested you in connection with the case. After collecting post mortem examination report he has submitted charge sheet against you and another under section 120-B/302/34 IPC vide Ext. 6. What is your reply?

A. A false case is filed against me. I was arrested without any basis.

Q. P. W. 13 Bipul Kr. Das has deposed that on 8<sup>th</sup> November 2012 he was working as Circle Officer at Sonapur Revenue Circle with the power of Executive Magistrate. He was informed about the death of Pinki Boro. So, he visited the place of occurrence. He instructed to bring the dead body down. He conducted inquest over the dead body of Pinki Boro. He saw a swelling in the eye portion of the deceased, injury in the neck, he saw some injuries in the back side of the chest, he detected blood stain in the fore finger, he had not detected ligature mark. As per him it was not a case of suicide. He has exhibited inquest report as Ext. 2 with his signature as Ext. 2 (1). What is your reply?

A. I know nothing.

9-11-12

Q. Do you want to say anything?

A. No.

Q. Do you want to adduce evidence in defence?

A. Yes.

(Signature of the accused)

Pramod Boro.

(Signature of Judge)

Pramod Boro.

The above examination was taken in my presence and hearing and contains a full and true account of the statement made by the accused.

J

(Signature of Judge)

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Ext.- 2  
Sd/- Illegible  
Judge

## INQUEST REPORT FORM

1. STATE: **Assam** DIST: **Kamrup (M)** P.S.: **Sonapur**  
FIR/A.D.NO./U.D.NO.: **Sonapur P.S. C/No. 341/12** YEAR: **2012**

2. ACT/SECTION: .....

3. a) Place & time where – Place: **Belguri**  
Dead body found/ – Date: **8/11/2012** Time: **9:30 AM**  
traced.

b) Was the body cold/warm when found: **Cold**

4. Person who showed deadbody/- Name: **Tantia Mia**  
traced the dead body

Age: **65 yr**

Address: **Belguri**

**Gaonburah**

5. Person who identified the body Name: **Kartik Baro**  
Age: **35 yr** Sex: **M**  
Address: **Village Belguri**  
**S/o- Sri Debiram Baro**

6. Dead body - Sex: **M/F** **F**  
Approximate age: **26 yr**  
Approximate date & time of death:

7. Position of deadbody - **Hanging position in a room of the residence Sri Debiram Baro**
8. Name & address (if known)- **Smti Pinky Baro  
W/o- Sri Pramod Baro  
Belguri**
9. Description of deadbody - **Built: Medium      Height: 5" (approx)  
Complexion: Fair  
Identification mark: Nil  
Deformities: .....  
Teeth: Open      Hair: Black (long)  
Eyes: Slightly Closed  
Dress: Blue T-Shirt & one white saree  
Burnmark: Nil  
Lucaodorma: Nil  
Mole: Nil      Scar: Nil  
Tattoo: Nil  
Other feature: Nil**
10. DESCRIPTION OF INJURIES FOUND ON DEADBODY (IF ANY)
- A) Head: Nil
- B) Face: **Swelling in the eye portion (left side) with reddish mark  
(assumed to be external injury)**
- C) In case of hanging cases the ligature mark to be noted whether circular (Homicidal) or oblique (Suicidal): **Injury in the neck portion in right side (Blackish sign) with blood stain**

D) Chest: **In the back side of the chest some injuries like torture seen**

E) Stomach: **Nil**

F) Limbs:-

a) Right hand: **Nil**

b) Left hand: **Blood stain found in fore finger**

c) Right leg } **No injuries found**

d) Left leg }

e) Private parts

f) Back: **Nil**

g) Other information like wounds bruises and marks of injuries/bleeding (if any)

h) Whether the limbs/body is stiff or loose: **Stiff**

11. a) Whether request made to Medical Officer to preserve Finger Prints of the dead body (if unknown) Yes/No

b) Photograph/V.D.O. of the body both form near or long distance should be taken. I/O to proceed to the P.O. with all necessary tools: **Photograph recommend**

c) Whether deadbody sent Post-Mortem: **Yes**

d) Dead body sent for Post-Mortem to which Hospital/Place: **GMCH Guwahati**

e) Dead body sent for .....  
Post Mortem through whom name .....  
B. No. .... Posting .....

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f) Viscera (In case of lead due to suspected poisoning the M.O. to be requested to preserved the viscera): Nil

12. Opinion of witnesses and police about the cause of death and weapons or instrument used thereof (if any): **As per preliminary enquiry & after observing the inquest over the dead body, it has been found some external injuries. Suspects to be assault by her husband. In fact the ligature mark is suspicious and not suicidal. Therefore a proper investigation into the death of the deceased is recommended.**

13. More Information/Suspicion (if any): Nil

14. Date & time of Inquest Report Date: 8/11/2012  
Time: 10:00 AM

15 NAME & ADDRESS OF WITNESSES & SIGNATURE

NAME OF WITNESS

SIGNATURE OF WITNESS

1. **Sri Haren Deka**  
**S/o- Sri Dayaram Deka**  
**Jagiroad**

Sd/- Sri Haren Deka

*Ext. 2(1)*  
*Sd/- Illegible*  
*Judge*  
*29/5/13*

2. **Sri Kartik Baro** Sd/- Sri Kartik Boro  
**S/o- Sri Debiram Baro**  
**Belguri**
3. **Sri Debiram Baro** Sd/- Sri Debi Ram Boro  
**S/o- Lt. Haritta Baro**
4. **Sri Tantia Mia** Sd/- Illegible  
**Gaonbura Belguri**

*Exhibit No.- 2(2)*  
*Sd/- Illegible*  
*2/6/17*

← *Sd/- Illegible*  
*8/11/12*  
*Circle Officer*  
*Sonapur Revenue Circle*  
*Sonapur*  
Signature of the Investigating Officer  
Executive Magistrate

1. Name: **Bipul Kr. Das**
2. Rank: **E.M.**
3. Posting/Address: **Sonapur**

*Sd/- Illegible*  
*8/11/12*  
*(Dr. S.M.I. Kabir)*  
*PG on duty*  
*Dept. of Forensic Medicine*  
*Gauhati Medical College*  
*for*  
*Police Surgeon, Kamrup*

*Sd/- Illegible*  
*Dr. Richa Pandey*  
*Asstt. Professor*  
*Dept. of Forensic Medicine*  
*Gauhati Medical College*

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Ex 3

Judge  
12/8/13

**SEIZURE LIST**

**Ref:- Sonapur P.S. Case No.- 341/12**

**U/s- 120(B)/302/34 I.P.C.**

M.R. No.- 198/12

I S.I. Padma Kanta Borah of Sonapur P.S., Dist.- Kamrup (M) do here by seize below noted articles at P.O. i.e. house of Accd. Smti. Lakhyana Baro, W/o- Sri Debi Ram Baro of village Belguri, P.S.- Sonapur, Dist.- Kamrup (M) the seized Lathi indentified and stated by the witness that previous day accd baten the deceased woman with that Lathi.

The seizure made in presence of the under signed witness and in conn. with above noted case.

1. Date and time of Seizer - On 8.11.12 at 10-15 AM
2. Place of Seizer - Belguri at the P.O.

Description of seize articles:

- 1) One bamboo stick with a node in the middle. Both the ends of the bamboo stick are cracked. It is about 3 feet long.
- 2) One rope made of cotton fibre. There are two knots on the two ends of the rope and another knot at 14 inches from one end. The rope is about 8 feet 10 inches long.
- 3) One Jute rope. There is a knot at one end and another knot some 1 foot apart. It is about 7 feet long. On one end, there is a lock like article made of white plastic and a Super Max blade.

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Wits:

- 1) Sd/- Rajen Bharali, Age – 63 *Ex 3(1)*  
S/o- Lt. Bholu Bharali *Judge*  
Vill- Belguri *12/8/13*
  
- 2) Sd/- Rajani Kanta Taro *Ex 3(2)*  
S/o- Lt. Aharu Taro *12/8/15*  
Vill.- Belguri
  
- 3) Sd/- Manik Chandra Boro, 52 yrs  
Father name – Late Pipar Boro  
Vill.- Belguri  
P.O.- Digaru
  
- 4) Sd/- Komoleswar Mohilary *Ext. 3(2)*  
S/o- Late Lolit Mohilary *Judge*  
R/o- Belguri

All reside under Sonapur P.S. in Kamrup (M)  
district

*Ext. 3(4)*  
*Sd/- Illegible*  
*6/4*  
*6-4-17*

Sd/- Padma Kt. Borah, S.I.  
Sonapur P.S.  
C/ Belguri  
Dtd.- 8.11.12

(56)

Ext. 4  
Sd/- Illegible  
2-8-16

Sess. 32/13  
ADJ No. 3

SONAPUR POLICE STATION  
NO.- R/133/P-M/12  
DATE- 26-11-12  
CITY GUWAHATI

Assam Schedule XLIII (Part I), Form No. 24

**POST MORTEM REPORT**

P.M.R. No.- 2395/12

Station : Gauhati Medical College Hospital  
Day of : 08<sup>th</sup> day of November, 2012  
Ref : Sonapur P.S. Case No.- 341/12

**Name, Sex, age and caste :**

PINKI BARO, 26 yrs/Female  
W/o- Sri Promud Baro  
Vill.- Beloguri  
P.S.- Sonapur  
Dist.- Kamrup (M), (Assam)

**Whence brought Village and Thana :**

Own house at Beloguri Village

**Name of constable by whom brought and names of relatives accompanying :**

- 1) C/1265 Abdul Kuddus
- 2) Sri Kartik Baro (brother-in-law of deceased)

57

**DATE AND HOUR OF**

**Despatch** : 8/11/12 at (time not mentioned)  
**Arrival at dead house** : 8/11/12 at 01 PM  
**Examination** : 8/11/12 at 01-15 PM  
**Information furnished by Police** : As per - i) Forwarding letter  
ii) Inquest report  
iii) Dead-body challan

**By whom identified before Medical Officer :**

- 1) C/1265 Abdul Kuddus
- 2) Sri Kartik Baro (brother-in-law of deceased)

N.B. Observe the state of all the organs and when no disease injury is found write "Healthy"

***I - EXTRANAL APPEARANCE***

***1. Condition of subject stout emaciated, decomposed etc :***

A female dead body of average built, swarthy complexion found wearing a blue coloured half sporting, an orange coloured blouse, a white 'mekhela' and a white petticoat. Eyes and mouth are partly open. Body is cold to touch. Rigor mortis is present in both upper and lower limbs. Natural orifices are found healthy.

***2. Wounds - position, and character : Injury :-***

- 1) Contusion of size 5 cm x 4 cm is present over antero lateral aspect of left deltoid area at upper half.

3. Bruise Position size and nature :

4. Mark of ligature on neck dissection, etc. :

An oblique, non continuous ligature mark of size 28 cm x 1 cm is present around the neck above the thyroid cartilages, high up in the neck. The non-continuity being position of the knot is present over right mastoid area. Externally, the ligature mark is dry, depressed and dark brown in colour. On dissection, the neck-tissues underneath the ligature mark are pale, glistening, parchmentized, surrounded by an area of congestion. Other neck tissues are found healthy. Hyoid bone and thyroid cartilages are found intact.

## II - CRANIUM AND SPINAL CANAL

1. Scalp, Skull, Vertebrae : Scalp- healthy  
 Skull- healthy  
 Vertebrae- all are healthy
2. Membrane : Congested
3. Brain and and spinal cord : Brain- Congested  
 Spinal cord- not examined

## III – THORAX

1. Walis ribs and cartilages : Walls- healthy  
 Ribs and cartilages- all are healthy

- 2. Pleurae : Congested
- 3. Larynx and trachea : Mucosae are congested
- 4. Right lung : } Both are congested. *Petechial* haemorrhage are present on surface at places
- 5. Left lung : }
- 6. Pericardium : Congested
- 7. Heart : Congested. Chambers contain liquid blood.
- 8. Vessels : All are congested

#### IV - ABDOMEN

- 1. Walls : Healthy
- 2. Peritonoum : Congested
- 3. Mouth, pharynx, oesophagus : Mucosae are congested
- 4. Stomach and its contents : Mucosa congested. Cavity contains liquid food material without any suspicious smell.

5. Small intestine and its contents : Mucosa congested. Cavity contains glue-like material without any suspicious smell.

6. Large intestine and its contents : Mucosa congested. Cavity contains gaseous and fecal matter.

7. Liver : Congested

8. Spleen : Healthy

9. Kidneys : Both are congested

10. Bladder : Mucosa- congested  
Cavity- empty

11. Organs of generation external and internal : External- as described  
Internal- Uterus- healthy  
and empty. Others are healthy

## ***V - MUSCLES, BONES AND JOINTS***

1. Injury : As described

2. Disease or deformity : Not detected

3. Fracture : Not detected

4. Dislocation : Not detected

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**MORE DETAILED DESCRIPTION OF INJURY OR DISEASE**

**OPINION OF ASSISTANT SURGEON AS TO CAUSE OF DEATH  
SUB – ASSISTANT SURGEON**

Death was due to asphyxia as a result of antemortem suicidal hanging. The injury described was ante mortem and caused by blunt force impact. Approximate time since death: 12 to 24 hours.

*Ext. - 4(2)  
Sd/- Illegible  
2-8-16*

*Sd/- S. Kabir  
(DR. S.M.I. KABIR)  
PG on duty  
Dept. of Forensic Medicine  
Gauhati Medical College  
for  
Police Surgeon, Kamrup*

The 08<sup>th</sup> day of November 2012

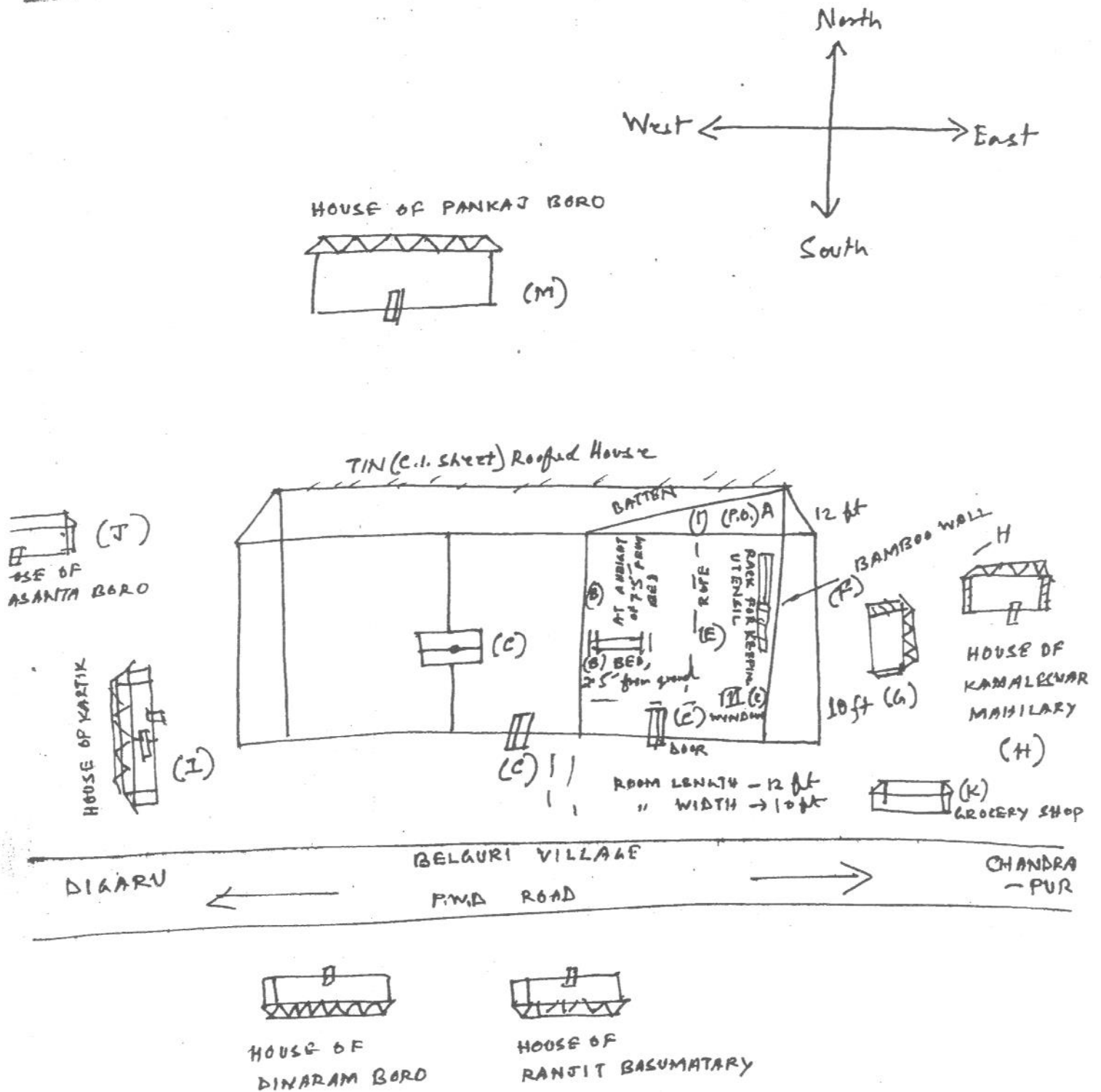
ASSISTANT SURGEON OF  
SUB-ASSISTANT SURGEON



Ext.- 5  
Sd/- Illegible  
6/4/17

Sketch Map of the P.O.

Ref:- Sonapur P.S. Case No.- 341/12 U/s- 120(B)/302/34 I.P.C.



**Index**

- A** indicates the place of occurrence (P.O.) , that is , the bed room of Pinky Boro in the accused person's house where her dead body is found hanging from a wooden batten in the roof. The dead body is 2 inches above the ground level.
- B** indicates the height of the bed from the ground which is 2.5 feet and the height of the batten in roof from the bed which is 7.5 feet.
- C** indicates the doors of the rooms of the house, the windows of the room of the P.O., the front room and the posts & the walls of the front three rooms.
- D** indicates a cloth horse and a box above a rack in a corner of the house.
- E** indicates the rope by which the deceased was found hanging.
- F** indicates the bamboo wall of the room of the P.O.
- G** indicates the prayer house of the accused person.
- H** indicates the house of Komoleswar Mohilary.
- I** indicates the house of Kartik Boro.
- J** indicates the house of Basanta Boro.
- K** indicates the grocery shop of the accused.
- L** indicates the grocery shop of the complainant.
- M** indicates the house of Pankaj Boro.
- N** indicates the road from Digaru to Chandrapur via Belguri.

*Ex 5(1)*  
*Sd/- Illegible*  
*6/4/17*

Sd/- Illegible  
S.I. Sonapur P.S.  
C/ Belguri  
8.12.12

65

Ext.- 6  
Sd/- Illegible  
6-4-17

**Assam Schedule XL-A (Part I), Form No. 148**

**CHARGE SHEET**

District – **Kamrup (Metro)**      Charge Sheet No. – **163/12**      Date – **30.11.12**  
Police Station – **Sonapur**      In First Information No. – **341/12**      Date – **8.11.12**

**(1) Name, address & occupation of COMPLAINANT**

Sri Haren Deka  
S/o- Late Dayaram Deka  
R/o- Na-khola  
P.S.- Jagiroad  
Dist.- Morigaon, Assam

**(2) Names & addresses of accused persons not sent up for trial whether arrested or not arrested including absconders.(show absconders in red ink)**

**Names and addresses of accused persons sent up for trial**

**(3) In custody**

**(4) On bail or recognizance**

1. Sri Promod Boro  
S/o- Sri Debi Ram Boro

2. Sri Lakhan Boro  
W/o- Sri Debi Ram Boro

Both are residents of  
Belguri  
P.S. Sonapur  
Dist. Kamrup (M), Assam

**(5) Property (including weapon) found with particulars of whether, when and by whom found and whether forwarded to magistrate.**

MR No.:- 198/12

**(6) Name and addresses of witnesses and what point each is called to prove.**

1. Sri Haren Deka (Ex, 3)  
S/o- Late Dayaram Deka  
R/o- Na-khola  
P.S.- Jagiroad  
Dist.- Morigaon
2. Sri Dinanath Boro (Ex, 1)  
S/o- Late Gendapo Boro
3. Sri Ranjit Basumatary (Ex, 2)  
S/o- Late Tagar Basumatary
4. Sri Komoleswar Mohilary (Ex, 6)  
S/o- late Lolit Mohilary

(67)

5. Smt. Gitanjali Bharali (Ex, 5)  
D/o- Sri Rajen Bharali

6. Sri Rajen Bharali (Ex, 4)  
S/o- Bhola Bharali

All are residents of- Belguri, P.S.- Sonapur.

7. Sri Katiram Heera (Govt. Gaon Burah)  
S/o- Late Promeswar Heera

8. Smt. Anjana Boro  
W/o- Sri Kartik Boro

9. Sri Rajani Taro (P 8)  
S/o- Ahar Taro

10. Sri Debiram Boro  
S/o- Late Harihar Boro

11. Sri Pankaj Boro (P 10)  
S/o- Sri Kandarpa Boro

12. Sri Biren Boro (P 9)  
S/o- Sri Nabin Boro

(68)

13. Sri Kartik Boro  
S/o- Sri Debiram Boro

All are residents of Belguri, P.S.- Sonapur

14. Dr. S.M.I. Khabir (P 11)  
Deptt. Of Forensic Medicine  
GMCH

15. Sri Bipul Kumar Das (Ex)  
Circle Officer  
Sonapur Revenue Circle

16. Sri Padma Kanta Bora, S.I. (Ex)  
Sonapur P.S.  
Dist.- Kamrup (M)

**(7) Charge or information, Nature of offence and circumstances connected with it is concise detail, and under what section of the penal code charged.**

The case, in brief, is that in the morning hours on 08-11-2012, complainant Sri Haren Deka, S/o- Late Dayaram Deka, R/o- Na-khola, Jagirod, P.S.- Jagirod, Dist.- Morigaon, lodged an Ejahar with Sonapur P.S. informing that at about 11 p.m. on 07-11-2012, accused Sri Promod Boro and Smt. Lakahan Boro killed the complainant's niece Pinki Boro by strangulating her and hanged her body from a batten of the roof.

(69)

On the basis of that Ejahar, the O/C of this P.S. registered a case and entrusted me with the charge of the investigation.

In the course of investigation, the case is found to be well established against accused Sri Promod Boro, S/o- Sri Debiram Boro and accused Smt. Lakhana Boro, W/o- Sri Debiram Boro, both residents of Belguri, P.S.- Sonapur, Dist.- Kamrup (M) for committing offence punishable u/s- 120(B)/302/34 I.P.C. and as such, this charge sheet is being submitted to the Hon'ble court with a prayer to hold trial against the abovementioned accused under the provisions of the aforementioned sections of I.P.C.

The accused persons were arrested in the course of investigation and forwarded to the court. Enclosed with this charge sheet are one seizure list, one PM report, one rough sketch map and a photograph of the deceased. The witnesses mentioned in this charge sheet will substantiate the veracity of the case.

*Ext.- 6(1)*  
*Sd/- Illegible*  
*6-4-17*

Sd/- Padma Kanto Bora, S.I.  
Sonapur P.S.  
30-11-12

Fdd to CJM (K) through PI (K) with sketch map, seizure list, and PM report

*Sd/- Illegible*  
*27/12/12*  
*S.I., R.N. Das*  
*Officer In-charge*  
*Sonapur Police Station*



**THE GAUHATI HIGH COURT AT GUWAHATI**  
(The High Court of Assam, Nagaland, Mizoram and Arunachal Pradesh)  
**Main Written Examination for Direct Recruitment to Grade I  
of Assam Judicial Service**

**Date : 07-03-2020**  
**Total Marks : 50**

**Duration : 2 hours**  
**Time : 1 PM to 3 PM**

**PAPER-IV**

১. তলত দিয়া যিকোনো এটা বিষয়ৰ ওপৰত ন্যূনতম ৪০০ শব্দৰ ভিতৰত এখন বচনা লিখক ৭
- ক) অযোধ্যা সম্পর্কত উচ্চতম ন্যায়ালয়ৰ চূড়ান্ত বায়  
খ) সংশোধিত নাগৰিকত্ব আইন, ২০১৯  
গ) ন্যায় প্রদান ক্ষিপ্ত কৰাত ন্যায়াধীশসকলৰ ভূমিকা
২. বন্ধনীৰ ভিতৰত দিয়া শব্দৰ পৰা তলত দিয়া শব্দবোৰৰ শুদ্ধ সমার্থক শব্দবোৰ বাছি লিখক  $\frac{2}{2} \times 8 = 8$
- (সূৰ্য, নদী, পদুম, কপাল, হাতী, চন্দ্ৰ, আকাশ, বজা)
- (ক) হস্তী      (খ) সৰিৎ      (গ) নলিন      (ঘ) সবিতা  
(ঙ) ললাট      (চ) সুধাকৰ      (ছ) নৃপতি      (জ) অম্বৰ
৩. বিপৰীত শব্দ লিখক  $\frac{2}{2} \times 8 = 2$
- (ক) দ্রুত      (খ) সজীৰ  
(ঘ) উত্থান      (ঙ) ফৰিয়াদী
৪. এটা শব্দত প্রকাশ কৰক (কেৱল উত্তৰ লিখিব)  $\frac{2}{2} \times 8 = 2$
- (ক) যাৰ হাত আঁঠুলৈকে পৰা  
(খ) যাৰ পূৰ্বজন্মৰ কথা মনত আছে  
(গ) যি পৰিণাম চিন্তা কৰি কাম কৰে  
(ঘ) যি জন্তুৰ নিচিনা
৫. সন্ধি ভাঙক আৰু পাতক  $\frac{2}{2} \times 6 = 6$
- (ক) কথা+উপকথন      (খ) উপৰি+উপৰি      (গ) গো+অক্ষ  
(ঘ) মনোযোগ      (ঙ) নীলাচল      (চ) উচ্ছৃংখল
৬. নিম্নলিখিত জতুৱা-ঠাঁচসমূহৰ যিকোনো তিনিটাৰ অর্থ লিখি বাক্য বচনা কৰক ৩
- (ক) অথাই সাগৰ      (খ) চুক ভেঁকুলী  
(গ) অলপ ধতুৱা      (ঘ) বিৰ দি বাট নোপোৱা

৭. আপুনি থকা অঞ্চলটোত পানী যোগান ব্যৱস্থা আছে যদিও সেয়া বৰ অনিয়মীয়া। ফলত আপোনালোকৰ অঞ্চলটোৰ লোকসকলে কেনেধৰণৰ সমস্যাৰ সন্মুখীন হৈছে সেই সম্পৰ্কে অৱগত কৰি আৰু সমস্যাটো অচিৰেই সমাধান কৰাৰ অৰ্থে ব্যৱস্থা গ্ৰহণ কৰিবলৈ অনুৰোধ কৰি বিভাগীয় কৰ্তৃপক্ষলৈ অসমীয়াতে এখন আবেদন পত্ৰ লিখক। ৫

৮. তলত দিয়া যিকোনো এটা ফকৰা-যোজনাৰ ভাৱ সম্প্ৰসাৰণ কৰক (প্ৰায় ৫০ টা শব্দৰ ভিতৰত) ২

(ক) আদাক দেখি উঠিল গা, কেঁতুৰিয়ে বোলে মোকো খা

(খ) কথাতো কটা যায় কথাতো বঁটা পায়

(গ) হস্তীৰো পিছলে পাৰ, সজ্জনৰো বুৰে নাও

৯. তলৰ আটাইকেইটা কথা সামৰি স্থানীয় আৰক্ষী থানাৰ প্ৰভাৰীলৈ অসমীয়াতে এখন এজাহাৰ লিখক ৫

(ক) চুতু কুৰ্মী আৰু লক্ষ্মণ প্ৰজাই চাহ বাগানত কাম কৰে।

(খ) সন্ধিয়া দুয়োটাই প্ৰায়ে একেলগে বহি মদ খায়।

(গ) দুয়োটাৰ এদিন মদ খাই থাকোতে কাজিয়া লাগিল।

(ঘ) চুতু কুৰ্মীয়ে এখন কোৰেৰে লক্ষ্মণৰ মূৰত মাৰে।

(ঙ) লক্ষ্মণ বাগৰি পৰে। ওচৰৰ ৰাইজে তাক হাস্পাতাললৈ নিয়ে যদিও ৰাস্তাতে মৃত্যু হয়।

(চ) চুতু কুৰ্মী লগে লগে সেই ঠাইৰ পৰা পলাবলৈ চেষ্টা কৰে যদিও ৰাইজে আটক কৰি ৰাখে।

১০. তলত দিয়া শব্দবোৰৰ ইংৰাজী পৰিভাষা লিখক  $\frac{2}{2} \times 8 = 8$

(ক) মহান্যায়বাদী

(খ) অভিযোগ পত্ৰ

(ঘ) অৰ্হতা

(ঙ) মৌলিক অধিকাৰ

(চ) পঞ্জীয়ক প্ৰধান

(ছ) অবৈতনিক

(জ) মহাভিযোগ

(ঞ) অনুজ্ঞাপন প্ৰাধিকাৰী

১১. ইংৰাজীলৈ অনুবাদ কৰক ৫

(ক) তেওঁৰ মৃত্যুৰ পিছত এই সম্পত্তি কোনে পাব?

(খ) সকলো প্ৰাৰ্থীৰ নাম বৰ্ণানুক্রমে লিখি এখন তালিকা প্ৰস্তুত কৰা।

(গ) সেই জখমতে মানুহজন মৰিল।

(ঘ) মই অহাৰ আগতেই বাম ষ্টেশ্যনলৈ ওলাই গ'ল।

(ঙ) তেওঁ কৈছিল যে ঘটনাটো যোৱাবছৰৰ মাঘ বিহুৰ সময়ত ঘটিছিল।

১২. তলৰ অনুচ্ছেদটো অসমীয়ালৈ অনুবাদ কৰক ৮

The Supreme Court stands for a powerful and independent judiciary free from the executive. Under Article 141 of the Constitution, the law declared by the Supreme Court is binding on all courts within the territory of India. The Supreme Court exercises a wide and powerful jurisdiction under Article 136 as the court may use its discretion to grant special leave to appeal from any judgment, decree, determination, sentence or order in any cause or matter passed or made by any court or tribunal in the territory of India. This discretionary jurisdiction is unique and is aimed at doing complete justice rather than strictly following the letter of the law. Thus, special leave to appeal might well be declined, although the law favours a particular cause, but if the interests of justice demand otherwise. Further, for doing complete justice, the Supreme Court is empowered, under Article 142, to pass necessary orders. The Supreme Court thus wields a unique jurisdiction which aims at securing justice in its true spirit and glory. Unfettered by the sheer letter of the law, the Supreme Court is fully equipped to prevent injustice and do complete justice.