

In The court of The Addl Sessions Judge (FTC) Bongaigaon
criminal Appeal 37(4)/12



Kuldip Sharma

Appellant

- vs -

State of Assam -

Respondent

Present :

Smti. R. Ica
Addl. Sessions Judge (FTC)
BONGAIGAON.

Appearance -

Sri M.K. Wavy.

--- Advocate for the appellant.

Smti. R. Choudhury.

--- Ld Addl PP.

F21-6-13

1. Sessions Judge (FTC)
BONGAIGAON.

Date of hearing. 27-5-13.

Date of Judgement. 21-6-13.

JUDGEMENT

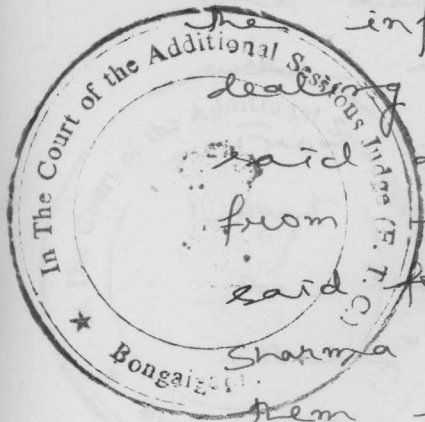
This appeal is directed against the Judgement
dt 26-9-12/28-9-12^{in GR 312/110} passed by ld chief Judicial
magistrate, Bongaigaon convicting the a/cd Kuldip
Sharma u/s 468 IPC and sentenced to undergo
S.O for 6 months and to pay fine of Rs 500/- ID
S.O for 15 days.

Brief fact of the case is that on 24-5-10
at 2 PM Nirmal Kumar Choudhury, Jonali Singha
Upamanda Singha and Lipcharan Choudhury came
to the office of the informant (PW-1) for
verification of their driving licences. Thereafter

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The informant made inquiry through his dealing assistant who reported that said driving licences were not issued from the office of the informant. Thereafter said four persons brought the aad kuldip Sharma before the office who according to them had delivered driving licences on payment of money. The aad disclosed before the informant he made said driving licences by way of forgery. Hence the F.I.R lodged by the informant.

F 21-6-13

1. Sessions Judge (F.T.C.)
BONGAIGAON

After submission of chargesheet the court below held the trial of the aad. charge u/s 468 IPC was framed against the aad to which he pleaded not guilty. Prosecution adduced evidence. Statement u/s 313 obtained. Defence has not adduce evidence. After conclusion of trial aad was convicted u/s 468 IPC. Hence this appeal.

I have heard submission of both side and gone through the memo of appeal, impugned judgement and lower court record.

In the memo of appeal it is contended that prosecution has failed to establish the seizure of the Register book of the driving licence of office of the DTO. as such it could not be ascertained whether DLS were issued and against whom the DLS were issued

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