



6th KIIT National Mock Trial Competition 2023, Trial Proposition



Legal-Tech Partner



Disclaimer

The proposition is not intended to and does not attempt to resemble any incident, organisation or any person living or dead. All situations in the trial proposition are fictitious and any resemblance to any incident, organisation, or person, if any, is not intended, but merely coincidental. Any attempt by the participants / participating Institutions or Universities to contact the drafter of the proposition would lead to disqualification from the competition.

Factual Background

An FIR was filed by Juhi Das (the 'Informant') on 24.02.2017 with Khandagiri P.S., wherein she stated that Dharmesh Pradhan alias John Dcouza alias Neeraj Modi (the 'accused') introduced himself to her in 2006 in Mumbai, stating that he was an Event Manager of one of India's leading event management company. He offered her to act a moderator for various stage shows. At the time, she was a third-year student at Mumbai University, living in a girl's hostel.

Dharmesh Pradhan told her stories about his family businesses in Gujarat and the inter family enmity, due to which his brother-in-law and sister had filed false case against him in Gujarat to take over the family business. He also introduced her to his friend Rohan Narula, who also lived in Mumbai and had financially helped him a lot in his hard days. After few months their court-ship, she found out that she was pregnant, and when she informed Dharmesh Pradhan about the same, he took her to a temple and informally married her following Hindu rites and customs.

A few months into the pregnancy, she found out that Dharmesh Pradhan had no work and had taken a loan of about Rs. 50 lakhs from different creditors including his friend, Rohan Narula, who were threatening him with dire consequences on non-repayment of loans. During the same time Dharmesh Pradhan begin to physically assault her.

Rohan Naruala also financed her entire delivery process after which Dharmesh Pradhan, sent her daughter to live with her parents at Noida as they had to continuously change accommodation due to the increasing threats from the creditors, after which they themselves shifted to Khandagiri in Bhubaneswar, in 2016 to evade the creditors, where she started teaching in schools.

In Bhubaneswar, Dharmesh Pradhan took all her money and continued to physically assault and abuse her on regular basis. He brought her daughter back in 2016 and kept her with him to use her to threaten the informant so as to not tell anybody about the mental and physical harassment.

In 2016, he asked his friend Rohan Narula to move in with him so that they could pursue a business opportunity. While living with them, Rohan Narula, saw Dharmesh Pradhan hitting the informant and when he tried to stop him, Dharmesh Pradhan threaten him that he would tell all his friends and relatives that Rohan Narula was having an illicit relation with the informant. On 22.02.2017, Rohan Narula sent a picture of Dharmesh Pradhan to the informant

which was circulating on internet as a wanted criminal for financial frauds in Gujarat with the name Neeraj Modi. When the informant confronted Dharmesh Pradhan about his identity, he violently assaulted her and threatened to kill Rohan Narula upon learning that the photograph had been sent by him. He threatened to leak private pictures of the informant on the internet, took away her laptops, IDs, passport and school certificates and brutally assaulted her on the night of 23.02.2017. The very night, he choked her with a piece of cloth, and had forceful sexual intercourse with her.

She somehow managed to run away at night and found shelter in the house of her landlord who took her for treatment in the morning of 24.02.2017 and accompanied her to the Khandagiri Police Station for filing the written information, where it was registered as Khandagiri P.S. Case No. 23/2017 dated 24.02.2017 u/s. 406, 376, 370, 371, 419 and 498A of Indian Penal Code, 1860 along with offences under the Domestic Violence Act, 2005 and Information Technology Act, 2000.

(The facts in the fact sheet cannot be rebutted)

Necessary Information

1. Chargesheet was filed on 26.05.2017 by the police.
2. Anticipatory bail was rejected by the learned Sessions Court.
3. Application for bail by the accused was rejected by the Court of Judicial Magistrate First Class, Bhubaneswar and the learned Sessions Court.
4. Now the matter is before the learned trial court for cognizance, framing of charges and further trial.

FORM – IF1 - (Integrated Form)**FIRST INFORMATION REPORT**

(Under Section 154 Cr.P.C)

1. Dist. Khordha..... P.S. Khandagiri..... Year 2017..... F.I.R. No. 0023..... Date 24/02/2017
2. (i) *Act Indian Penal Code, 1860..... *Sections 406, 376, 370, 371, 419 and 498A.....
(ii) *Act *Sections
(iii) *Act *Sections
(iv) * Other Acts & Sections Domestic Violence Act, 2005 and Information Technology Act, 2000.....
3. (a) * Occurrence of Offence: * Day Intermediate day *Date 23.02.2017..... *Time 00:00.....
(b) Information received at P.S. Date 24/02/2017..... Time 09:34.....
(c) General Diary Reference: Entry No(s) 007..... Time 13:28.....
4. Type of information : Written *Written / Oral
5. Place of occurrence: (a) Direction and Distance from P.S. East 02 Km..... Beat No.
(b) * Address Near Kalinga Studio Square, Ghatikia, Bhubaneswar - 751003.....
(c) In case outside limit of this Police Station, then the name of P.S.
District
6. Complainant / information :
(a) Name Juhi Das.....
(b) Father's / Husband's Name Sushanta Das.....
(c) Date / Year of Birth 18/03/1992..... (d) Nationality Indian.....
(e) Passport No: H9137927..... Date of Issue: 18/02/2014..... Place of Issue Mumbai.....
(f) Occupation: Teacher.....
(g) Address: Plot No. 208, Near Kalinga Studio Square, Ghatikia, Bhubaneswar - 751003.....
7. Details of known / suspected / unknown / accused with full particulars
(Attach separate sheet if necessary):
Dharmesh Pradhan, S/o Unknown, R/o Unknown, Near Khandagiri, Bhubaneswar.....
8. Reasons for delay in reporting by the complainant / Informant
9. Particulars of properties stolen / involved (Attach separate sheet if necessary):

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

10. * Total value of the properties stole / involved:

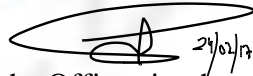
11. * Inquest Report /U.D. Case No., if any:
.....

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

Case No. 0023/2017 dated 24.02.2017, Time 09:34 a.m., u/Ss. 406, 376, 370, 371, 419 and 498A of the Indian Penal Code, 1860 and Domestic Violence Act, 2005 and Information Technology Act, 2000. The informant of this case D/o Sushanta Das R/o Plot No. 208, Near Kalinga Studio Square, Ghatikia, Bhubaneswar - 751003 filed a written information against FIR named accused Dharmesh Pradhan alias John Dcouza alias Neeraj Modi S/o Unknown R/o Unknown for cheating, forgery, impersonation, sexual harassment, rape and domestic violence.

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/ direction / Ramesh Mohanty... Rank .S.I..... to take up the investigation transferred to P.S..... on point of jurisdiction.

F.I.R. read over to the complainant / Informant, admitted to be correctly recorded and copy given to the Complainant / Informant free of cost.



Signature of the Officer-in-charge, Police Station
* Name : Khageswar Pradhan.....
*Rank: I (Inspector).....No. LR25681OTP....

14. Signature /Thumb-impression of the complainant / informant

15. Date & time of despatch to the court:

To,

Inspector-in-Charge,
Khandagiri Police Station,
Bhubaneswar, Odisha

Dt. 24.02.2017

Sir,

I, Juhi Das, a teacher at the Kalinga Public School, Bhubaneswar, wants to file this complaint. It is my humble request to take into your kind consideration the details mentioned hereinbelow and give me justice.

1. I met Shri Dharmesh Pradhan @ Sam Dcouza, whose actual name might be Neeraj Modi, on 03.12.2006, at Mumbai. He told me that he was an 'Event manager' and the owner of a very big Event management company in Mumbai. He told me about an opportunity to work as a moderator at various stage shows and events to be conducted in India & abroad.
2. Dharmesh Pradhan @ Sam Dcouza would repeatedly say that his sister, brother-in-law and certain persons in Ahmedabad had conspired against him and entrapped him in false cases and took away all his ID-cards and therefore he had to run away from the place to place in order to save his life. He gave me regular assurances that he would get his ID-cards made again.
3. That after a month of our court-ship, Dharmesh Pradhan introduced me to his friend Rohan Narula, stating that they have been friends for 3-4 years and he is like a younger brother to him and has financially helped him a lot. Rohan lived in Mumbai at the given time and thus Dharmesh took me to live in a near-by locality. He then convinced Rohan to live with them on the assurance that he will pay him the amount of Rs. 27,000/- due to him and they would also start their production business together.
4. Whenever I inquired as to when we would be getting married, he would say that he does not believe or adhere to social propogandas like marriage and that after his ID-cards were made, he would register our marriage in Court. At the time, my age was merely 20 years while Dharmesh Pradhan was aged about 40 years. Being convinced by him, I then started living with him without getting married, however, we had a

ceremonial event at a local temple in Mumbai on 04.03.2007, wherein he also applied Sindoor on me.

5. While living with him, I discovered that Dharmesh Pradhan had lot of financial liabilities and he had no job or work and lived by taking money on credit from various people. In 2009, I found myself pregnant with his child and during my pregnancy, he began to abuse me verbally and physically. He often assaulted me physically; however, I was under the impression that things would fall in place with the arrival of our child. The first time he hit me physically, I let him be, as I assumed that it was due to the financial constraints and the stress of it. Thereafter, I delivered a baby girl, at the time of which, Dharmesh Pradhan took a loan of Rs. 2,00,000/- from Rohan Narula on account of paying medical expenses of my delivery. During the same time, Rohan's wife Neha Narula, who was living with us as well, got pregnant and thus Rohan shifted to Cuttack in August 2010, to live with his family. Whenever he asked back for his money, Dharmesh Pradhan would give him different dates and false assurances.
6. Dharmesh Pradhan had verbal fights with Neha atleast on 2-3 occasions. As the number of creditors grew in Mumbai, he frequently changed his locations and accommodations, from Navi Mumbai to Malad West to Goregaon. He would stay out the whole day and as I had to live at home, I faced the insults and humiliation from the creditors on multiple occasions. Many a times, the creditors also picked up things from our house. To save our daughter from the ill-effects of these people and incidences, I insisted him to drop her off at my parent's house at Noida, Uttar Pradesh, which he did. Dharmesh Pradhan had always told me that his parents had died in his childhood and all his relatives live out of India. He would show me big dreams of a grand life and tell me about the multiple properties he had and convinced me yet again, and this went on till August 2015.
7. In July of 2016, he left me in Mumbai and went to meet Rohan, who was at that time working at some school in Bhubaneswar. He refused to give any financial help but suggested that there are many schools in Bhubaneswar where I (the informant) could find a job as a teacher and earn a livelihood. Dharmesh Pradhan then brought me from Mumbai to Bhubaneswar, where I started teaching at Kalinga Public School. Dharmesh assured me that while I was working there, he would go back to Mumbai and find work and then take me there to live with him.

8. In the meantime, he took more money and even products on credit. Though promised, he never tried to go to Mumbai or find a job. Whenever I would talk about paying off debts or ask about his family, he would initiate a fight.
9. In June of 2016, when I asked him to bring back our daughter from my parents' home, we had a huge fight, where he punched my left eye, and I also received severe injuries on my face. Hereinafter, the fights took place often, on some issue or the other, where he not only verbally abused me, but also assaulted me physically on multiple occasions. On many occasions I received severe injuries, however, on two occasions, he also received injuries to his right hand and face, when I acted in private defence. He also threatened to kill me and my daughter, when I asked him to settle dues of all creditors, since their recovery visits to our house became very frequent.
10. Around July, 2016, he brought back my daughter from my parents' house, but refused to get her admitted in any school in Bhubaneswar, as he had no money to pay fees for her education. He would always keep my daughter with him and threatened me saying that if I does not do and live as he says, he will run off with my daughter and I will be unable to do anything about it, because when Gujarat police could not do anything in his case, how would she be able to do anything.
11. For the sake of my daughter, I continued to bear with all the mental and physical harassment. In 2016, he again spoke to Rohan Narula and convinced him that the Principal of Kalinga Public School wishes to transfer all the responsibilities of the school to them and herself shift to Puri and open and run a school there and she could even accept their contribution in partnership. He also assured Rohan that through this opportunity, he would be able to repay his entire loan to him completely. Rohan left his job and came to Bhubaneswar. When he met Principal of Kalinga Public School in Bhubaneswar, he found that Dharmesh cooked up the entire story, and there was no plan of her to transfer any responsibility to Dharmesh or to him.
12. When Rohan started looking for a job, again in August 2016, Dharmesh Pradhan convinced him that he would be able to repay the loan sooner if they work together and got him to come live with us here as well. When Rohan began to live with us, he would see the regular verbal abuse and assault on me. Dharmesh Pradhan would often drag Rohan into our fights, and would also abuse him. On one such occasion, when Rohan tried to stop the fights between us, Dharmesh Pradhan verbally abused him and

assaulted him as well. Dharmesh Pradhan accused Rohan and me of having illicit relations and threatened to defame us in the entire town. On 24.01.2017, Rohan saw the picture of Dharmesh Pradhan on a website with the name 'Neeraj Modi' appearing under the heading 'Most Wanted for Financial Frauds'. When we questioned Dharmesh about his identity, he got aggressive and began to violently assault me and threatened to kill Rohan. He also threatened to harm Rohan's sister and brother-in-law, who lived in Bhubaneswar and refused to return his or anybody else's money.

13. Under fear of defamation and loss of his family, Rohan left our home on 28.01.2017 and when he asked for his money back, he was abused, assaulted, and accused of having illicit relations with me. Dharmesh also gave him life threats. He further said that he would photoshop my pictures with Rohan to create obscene photos and make it go viral. Based on these threats, he continued to take all my money, I earned from teaching.
14. When I discovered about fake identity of Dharmesh Pradhan, I decided to separate from him. He spread the mis-information about the illicit relation between me and Rohan in the entire town. Despite of his threats, when I remained persistent on separating, he threatened to kill my daughter. When I told him that I will take legal help, he thrashed me badly and gave multiple punches with his fist on my stomach.
15. On 20.02.2017, I found out that he had hidden my hard-disk with all my photos and videos, my voter-ID, school certificates of 10th and 12th class. My phone also went missing, the very same day. When I confronted him, after he returned home, drunk, he hit me on my head and face, pushed me to the walls, tore my clothes and forced himself on me. When I resisted, he choked me with a piece of cloth, and had forceful sexual intercourse with me. During the entire incidence, he kept beating me and pulling my hair.
16. I, therefore, request you to investigate the matter and take stern action against Dharmesh Pradhan and therefore, provide me justice.

Thank you,

Yours Sincerely,

Juhi Das,
Plot No. 208,
Near Kalinga Studio Square, Ghatikia, Bhubaneswar – 751003

Department of Health & Family Welfare Department
Government of Odisha
Capital Hospital, Bhubaneswar
Prescription Slip

Regis ID	OPD2678	Date	24/02/2017	BPL.No.	Null	Department	GENERAL
Patient	Juhi Das	Father's /Husband Name		Sushanta Das	Category	GENERAL	
Sex	Female	Doctor		Shradha Kumari		Age	
Address	Kalinga Studio	Amount	0.00	Disease	Null		29

Rx,

Brought by - Santri

Mangesh Mohanty (ASI), Khandagiri P.S.

Mark of identification ---

Mole below right lower eyelid

Mole on left forearm (dorsal aspect - thumb side)

LMP - 23/02/2017

O/E

abrasion on cheek (left) half inch skin deep caused by some sharp object / broken glass

Wound marks around both eyes, left side of head above left eye

Blood clot in purplish color on upper right arm, chest - Signs of finger grip around arm

Blood clot in purplish color around both wrist

on the 12th and 13th rib shows sign of hairline fracture with blood clots and abrasion on flesh over chest on left side

P/E

Hymen torn

Vagina admits 2 finger (Smear taken for exam)

Report shows spermatozoa found

epithelial cell present

RBC -> Nil

shnaddha opinion -> she is sexually experienced but possibility of rape can be confirmed physically.
 Medical Officer
 Capital Hospital
 Bhubaneswar, Odisha

Statement u/S. 161 of CrPC as recorded by the Police during investigation

List of witnesses –

1. **Sushanta Das**, S/o XXX, aged XX, R/o XXX, Noida, UP
(Father of the informant)
2. **Neelabati Das**, W/o Sushanta Das, aged XX, R/o XXX, Noida, UP
(Mother of the informant)
3. **Neha Narula**, W/o Rohan Narula, aged XX, R/o XXX, Cuttack, Odisha
4. **Juhi Das**, D/o Sushanta Das, aged 29, R/o Plot No. 208, Near Kalinga Studio Square, Ghatikia, Bhubaneswar - 751003
(The informant)
5. **Rohan Narula**, S/o XXX, aged XX, R/o XXX, Cuttack, Odisha
6. **Debashis Panda**, S/o XXX, aged XX, R/o Near Kalinga Studio Square, Ghatikia, Bhubaneswar – 751003
(Landlord of the Informant)

Statements

1. **Sushanta Das**, stated that he is the father of the informant Juhi Das. His daughter got married to Dharmesh Pradhan, in a temple in 2007, about which he found out in March-April 2007. He found out in the same year that his daughter is pregnant. At the time, his daughter and Dharmesh Pradhan were living in Mumbai. Their daughter used to tell him on the phone that there was no peace in their matrimonial home and that her husband does not do any work. Due to the unrest at her house, she dropped off her daughter with them in Noida. Dharmesh Pradhan would run his household by taking money on credit. In the year, 2016, Dharmesh Pradhan took his daughter to Bhubaneswar from Mumbai, where she took up job as school co-ordinator at Kalinga Public School and their household there was going upon her money. That in Bhubaneswar, her husband tortured his daughter. On his grand-daughter's birthday when he was at his daughter's house, he saw Dharmesh Pradhan hit her daughter. His daughter would tell him over phone that Dharmesh Pradhan hits her. That he is not

aware of what Dharmesh Pradhan told her daughter before they got married. On 25.01.2017, his daughter called him, and was crying aloud. When asked, she told him that Dharmesh Pradhan is not only a fraud, but is a wanted criminal. The other day, when his daughter confronted Dharmesh Pradhan, he thrashed her daughter and assaulted her badly. He stated that he asked his daughter to come back to his house, but she refused giving reasons of his grand-daughter. He also stated that Dharmesh Pradhan stole his daughter's I-cards, laptop, hard-disk, which was recovered by police after the F.I.R was filed. He further stated that his daughter was not only abused and assaulted by Dharmesh Pradhan, but was also raped on 20.02.2017.

2. **Neelabati Das**, stated that Juhi Das is her daughter and had married Dharmesh Pradhan out of her own volition. That after four to five months of pregnancy, her daughter informed her over phone that she had married Dharmesh Pradhan, in the year 2007. That she was with her daughter during the delivery of her grand-daughter, in Mumbai. That at the time, Dharmesh Pradhan informed them that he has a flat in Mumbai, an event management company as well as his own studio, but did not give any further information in regards to the same. That Dharmesh Pradhan would regularly pick fights with Juhi and even assault her physically and he married her by giving her false information regarding himself, with the intention to deceive her. Her daughter would tell her over phone calls that her husband did not do any work. Her daughter worked in schools and Dharmesh Pradhan would take all her money from her. She stated that Dharmesh Pradhan has spoilt the career and life of her daughter and has raped her as well on multiple occasions.
3. **Neha Narula**, stated that she got married to Rohan Narula in 2009 and thereafter lived with her husband in Mumbai. That Dharmesh Pradhan and Juhi Das lived with them. When she got pregnant, she shifted to Cuttack with her husband. Dharmesh Pradhan would repeatedly come to visit them at their house in Cuttack. He would try and convince her husband to move to Bhubaneswar with him and he did move to Bhubaneswar with him and started working in Kalinga Public School. She stated that Juhi Das was repeatedly assaulted physically by her husband, although she does not know the reason for the same. That Dharmesh Pradhan had taken Rs. 2,00,000/- on loan from her husband but has not repaid the same till date. Dharmesh Pradhan had borrowed the money from her husband in 2010. Whenever they would ask him to return the

money, he would make some or the other excuse and not repay. That Dharmesh Pradhan had taken money from multiple creditors and never repaid the same.

4. **Juhi Das**, the informant in this case, stated that she had filed the case against her husband Dharmesh Pradhan @ John Dcouza @ Neeraj Modi. That he married her by impersonating himself and not disclosing his true identity and assaulted her and her child as well. That she met with Dharmesh Pradhan in Mumbai on 03.12.2006. He told her that he was the owner of a production company and met her on the pretext of stage co-ordination and moderation and they began to regularly meet in relation to work. He told her that his sister and brother-in-law had snatched away his i-cards and assaulted him in Ahmedabad and he had run off to Mumbai to save himself. He would always say that he will get his I-cards made. Dharmesh Pradhan had her meet Rohan Narula after month of their meeting, who was at the time living in Mumbai and he got her a house on rent, next to his. Dharmesh Pradhan told her that he had to repay a loan of Rs. 27,000/- to Rohan Narula, which he would repay by working with him. Whenever she would talk about marriage with him, he would call it a social drama and said that after his I-cards were made, he would legally marry her. Being convinced by Dharmesh Pradhan, she married him in Arya Samaj temple, Goregaon on 04.03.2007 and began to live with him. When she started living with him, she found that there was lot of financial liability upon him and he does not have any job nor is self-employed. After 4-5 months she found that she was pregnant. For the first time, Dharmesh Pradhan assaulted her over a fight regarding him taking money on credit and abused her. On 04.07.2009, she delivered a daughter, for which her husband did not have money and he borrowed Rs. 2,00,000/- from Rohan Narula and paid for the hospital bills and home expenses. At around the same time, Rohan Narula's wife also got pregnant and he shifted to Cuttack with her. Whenever Rohan Narula asked for his own money, Dharmesh Pradhan would fight with him as well and abuse him. He also had fights with Rohan Narula's wife 3-4 times. All his creditors had begun to come to their house and abuse them as well. Due to this, Dharmesh Pradhan had her move from house to house to evade the creditors, who would somehow come to their house, and as Dharmesh Pradhan was always out, they would insult and abuse her and take away things from their house. To save her daughter from the ill-effects of these, she left her at her parent's home in Noida. In the year 2016, Dharmesh Pradhan went to visit Rohan Narula in Cuttack and asked him for money on credit, which he refused to give but assured him

that he would get her a job as a teacher in a school. She then had a job as a teacher at SOS School, Bhubaneswar and after two months there, she shifted to Kalinga Public School, Bhubaneswar. Around July, 2016, Dharmesh Pradhan brought back their daughter from informant parents' house, but refused to get her admitted in any school in Bhubaneswar, as he had no money to pay fees for her education. In the mean-while, whenever she asked about marriage or I-cards, Dharmesh Pradhan would always assault and abuse her badly. She continued to live in this manner for the sake of her daughter and Dharmesh Pradhan would use it against her and threaten to harm their daughter if the informant did not abide. He would tell her that she should work and look after the expenses here and he would go to Mumbai and set his business there. In 2016, he called Rohan Narula to live with them saying that he would get him a job as co-ordinator of Kalinga Public School. When he moved here, he found out that Dharmesh Pradhan had lied about it, and so Mayank started a job at D.P.S School. Multiple times, fights and physical assault took place before Rohan Narula and if he tried to intervene, Dharmesh Pradhan would assault and abuse him as well. On 24.01.2017, she found out on internet that the original name of Dharmesh Pradhan is Sharad Sondhi and when she confronted him about it, he became furious and beat her up violently in front of their child. When Rohan Narula tried to stop him, he hit him as well, and threatened both that he would defame them by spreading the false news of their illicit affair in the whole town. He continuously threatened her to create obscene and vulgar photos of her through photoshop and make it viral and would thus take away all of her money. When she refused to give him any money, he again beat her up and abused her. When she decided to separate from him, he said that if she even tried to do so, he would defame her in the entire locality and town and there would be no place left for her to go and also that he would also harm their daughter. On 20.02.2017, she found out that Dharmesh Pradhan had stolen her Identity cards, hard-disk with all her photos, laptop etc. When she confronted him, after he returned home on 23.02.2017, drunk, he hit her on her head and face, pushed her to the walls, tore her clothes and forced himself on her. When she resisted, he choked her with a piece of cloth, and had forceful sexual intercourse with her. During the entire incidence, he kept beating her. She somehow managed to run away at night and found shelter in the house of her landlord who took her for treatment in the morning of 24.02.2017 and accompanied her to the Khandagiri Police Station for filing the written information.

5. **Rohan Narula**, stated that he first met Dharmesh Pradhan in the year 2005 in Mumbai and he was in his last year of L.LB at the time and used to do theatre in the evenings. That Dharmesh Pradhan met him with the name of John Dcouza in Mumbai and had told him that he was owner of a production house. That they continued to meet and became friends over a few days. After a few days Dharmesh Pradhan borrowed Rs. 27,000/- from him on the pretext of some program but never returned the money, whereafter they did not meet for about 2-3 months. Dharmesh Pradhan met him again in 2006 and said that he wanted him to meet someone and then had him meet Juhi Das. He then said that they should forget all that happened in the past and have a fresh start at business. That they continued to meet over the next few months. Few months later Dharmesh Pradhan informed him that he had married Juhi Das and was going to take their business very seriously and that he wanted him to help him with it and then he would repay the money back to him. That he agreed to help him with the business and then shifted with him in the same house. After a few months he said that they could not go out and start work as Juhi Das was pregnant and that he should continue with his work and they will proceed with the work after Juhi Das's delivery. But Dharmesh Pradhan did not start any work and his financial situation became worse and he asked for monetary help again and again from him. In the meantime, he too got married and his wife Neha Narula began to live with them and Dharmesh Pradhan would scold his wife on little things, after a while. In one or two months, his wife got pregnant and wanted to go home so they stayed till the delivery of Juhi Das and after that Juhi's parents came there and so after her delivery, his wife and he went to live at their house in Cuttack. Dharmesh Pradhan came to him in Cuttack after six months of them shifting there and told him that his financial condition is very bad and he cannot do any work and asked for his help which he declined and asked him to pay the money already owed to him. He told him that till he cannot earn; he will not be able to return his money. He told Dharmesh Pradhan that he was not going to get involved in his media business but he could move to Bhubaneswar and find a job here. After a few days Dharmesh Pradhan moved to Bhubaneswar with Juhi Das. Juhi Das began working at SOS School. After two months, she left SOS School and joined Kalinga Public School. That he himself left job at Kalinga Public School and moved to Cuttack but he was in continuous contact with Dharmesh Pradhan and Dharmesh Pradhan came to meet with him 2-3 times in Cuttack. In 2016 Dharmesh Pradhan came to meet him and said that the Principal of Kalinga Public School, had told him that she needed good teachers for her school and

he had recommended Rohan Narula's name for the same. Dharmesh Pradhan persuaded him to join as a teacher at Kalinga Public School, to which he finally agreed, and moved. When he met Principal of Kalinga Public School, things didn't work out and he began to work at DPS, Bhubaneswar and lived in the hostel of the school. Dharmesh Pradhan came to meet him every day and used to take him to his house on a regular basis, and finally convinced him to move in. Dharmesh Pradhan would say that he should take tuition classes along with Juhi Das. After a few days he joined Kalinga Public School and moved in with Dharmesh Pradhan, where he also took tuition classes. When he began to stay there, he found out about the constant fights between Dharmesh Pradhan and Juhi Das, and Dharmesh Pradhan asked him to mediate between them, at least on two to three occasions. He even saw Dharmesh Pradhan hit Juhi Das, and when he tried to stop him Dharmesh Pradhan got aggressive and abused him and threatened that he would defame them both by spreading the news that there is illicit relationship between him and Juhi Das. He then asked Dharmesh Pradhan to repay him all his money and told him that he would leave his house, upon which Dharmesh Pradhan became violent and completely refused to return his money and assaulted him. When he saw that the things were getting out of hand, he packed up his things and moved back to Cuttack.

6. **Debashis Panda**, stated that he is the landlord of the Informant and Dharmesh Pradhan. As to the profession of Dharmesh Pradhan, he said that he is not aware of the same, however, he stated that as per his knowledge the Informant is working as a teacher in Kalinga School, Bhubaneswar. He stated that both the Informant and Dharmesh Pradhan, rented his 2 BHK flat somewhere in 2016. He further stated that every month he used to collect the rent from the Informant, Juhi Das. He said he lives in the ground floor of the same building in which the 2 BHK flat on the first floor is rented by Dharmesh Pradhan and the Informant. He said that though he will not be able to tell the specific dates, but he used to listen both Dharmesh Pradhan and the Informant fighting quite often very aggressively. He often used to listen the Informant crying till late at night, since he dwells in the flat just below the rented flat. He specifically stated that in the night of 23.02.2017, around 02:04 am, the informant came to his house, with deep injuries on her cheek and eyes, bleeding from her head. She was having difficulty in moving her hands and she also complaint of having severe pain in stomach. On being asked, she started crying badly and she was not able to talk much. He stated that he

gave her the basic first aid and consoled her, gave her some water. She asked him to take her to the hospital and the police station, next morning, but she insisted him to take her to the police station first. The next morning, he stated, he took her for treatment and accompanied her to the Khandagiri Police Station for filing the written information, wherein he came to know in details about all that happened with her in the previous night.



FORM IIF5

FINAL FORM / REPORT
(Under Section 173 CR. P.C.)

IN THE COURT OF **Chief Judicial Magistrate, Bhubaneswar**

1. *Dist: **Khordha** *P.S. **Khandagiri** *Year **2017** *FIR No: **0023** *Date: **24/02/2017**
2. Final Report/Charge-Sheet No: **110/17** 3. *Date: **26/05/2017**.....
4. (i) *Act: **Indian Penal Code, 1860** *Section:
 (ii) *Act: *Section: **X**
 (iii) *Act: **X** *Section:
 (iv) *Other Acts and Sections: **X**.....
5. *Type of final Report: **Charge-Sheet/Untraced/Unoccurred/Not Charge-Sheet for want of evidence :**
6. *If F.R. unoccurred: **False / Mistake of fact / Mistake of law/Non-cognizable/Civil nature:**.....
7. *If supplementary or original:
8. Name of the I.O. **Ramesh Mohanty** Rank **S.I., Khandagiri P.S.**.....
 (a) Name of Complainant / Informant: **Juhi Das, aged 29 years.**.....
 (b) Father's / Husband's Name: **D/o Sushanta Das,**.....
(W/o Dharmesh Pradhan @ Sam Dcouza @ Neeraj Modi)
R/o Plot No. 208, Near Kalinga Studio Square, Ghatikia, Bhubaneswar - 751003
 Date of properties / Articles / Documents recovered / seized during investigation and relied upon (separate list can be attached, if necessary).

Sl. No	Property description	Estimated value (in Rs.)	P.S. property Register No.	From whom/where recovered or seized	Disposal
1	2	3	4	5	6
-	-	-	-	-	-

11. Particulars of accused persons charge-sheeted:
(use separate sheet for each accused)

Sl.No..... Dharmesh Pradhan @ Sam Dcouza

- (i). *Name: Whether verified.....
- (ii). Father's/Husband's Name: Amit Bhai Modi.....
- (iii). Date/Year of Birth: 26.005.1966, Age 51 years.....
- (iv). Sex: Male.....(v) Nationality Indian.....
- (vi). Passport No: X..... Date of issue X.....
- Place of Issue X.....
- (vii). Religion: Hindu..... (viii) Whether SC/ST X.....
- (ix). Occupation: Not mentioned.....
- (x). Address: Plot No. 3/ 22, Near Khandagiri, Bhubaneswar - 751003.....
- Whether verified:
- (xi). * Provisional Criminal No.:
- (xii). *Regular Criminal no:
- (if known)
- (xiii). Date of arrest: 24.02.2017.....
- (xiv). *Date of release on bail X.....
- (xv). *Date on which forwarded to Court: 24.02.2017.....
- (xvi). *Under Acts & Sections: 406, 420, 419, 498A, 376, 370 and 371 of IPC, 1860.....
- (xvii). *Name(s) and Address(es) of sureties: X.....
-
-
- (xviii). Previous convictions with case references: X.....
-
-
- (xix). *Status of the accused: In judicial custody
- Forwarded / Bailed by Police / Under Police Custody / Bailed by Court / In judicial Custody / Absconding / proclaimed Offender:

12. Particulars of accused persons – Not charge sheeted (suspected):
(separate sheet for each suspect)

Sl.No.

- (i). *Name: Whether verified.....
- (ii). Father's/Husband's Name:
- (iii). Date/Year of Birth :
- (iv). Sex: (v) Nationality:
- (vi). Passport No. Date of Issue
- Place of Issue.....
- (vii). Religion: whether SC/ST:
- (ix). Occupation:
- (x). Address:
-
- Whether verified
- (xi). *Provisional Criminal No: Yes/No
- (xii). *Suspicion approved:
- (xiii). ***Status of the accused**
Bailed by Police / Bailed by Court / in judicial custody / Absconding / proclaimed offender
/ Not arrested:
-
- (xiv). Under Acts and Sections:
-
- (xv). Any special remarks including reasons for not charge sheeting:
-
-
-
-
-

13. Particulars of witnesses to be examined:

Sl. No.	Name	Father's/Husband's Name	Date/year of birth	Occupation	Address	Type of evidence to be tendered.
1	Informant Juhi Das	D/o Sushanta Das (W/o Dharmesh Pradhan @ Sam Dcouza @ Neeraj Modi)	18.03.1986	Teacher	Plot No. 208, Near Kalinga Studio Square, Ghatikia, Bhubaneswar - 751003	7
2	Sushanta Das		XXX	Business	S. 5, Noida, 201301	
3	Neelabati Das		XX	House wife	S. 5, Noida, 201301	
4	Rohan Narula		XXX	Teacher	2 / 6, College square, Cuttack 753003	
5	Neha Narula	W/o Naru	XXX	House wife	2 / 6, College square, Cuttack 753003	
6	Dr. Shraddha, Medical Officer Capital Hospital	Bhubaneswar	XXX	Doctor	Capital Hospital, Bhubaneswar	
7	Debashis Panc		XXX	Property dealer	Near Kalinga Studio Square, Bhubaneswar - 751003	
8	Ramesh Mohariy, S.I., Khandagiri P.S		XXX	Police officer	Khandagiri P.S.	

14. If F.R. is false, indicate action taken or proposed to be taken u/s 182/211 I.P.C.:

.....

15. Result of Laboratory Analysis:

.....

16. Brief facts of the case (Add separate sheet, if necessary)

On the written information given by the victim-Informant, Juhi Das, aged 29 years, D/o Sushanta Das, W/o Dharmesh Pradhan @ John Dcouza @ Neeraj Modi R/o Plot No. 208, Near Kalinga Studio Square, Ghatikia, Bhubaneswar - 751003, this case was registered on 24/02/2017 against the accused..... Dharmesh Pradhan @ John Dcouza @ Neeraj Modi aged 51 years S/o Amit Bhai Modi, R/o Plot No. 3/ 22, Near Khandagiri, Bhubaneswar - 751003 for cheating; fraud; impersonation; sexual harrasment and rape upon the Informant./ victim. Statements of the witnesses u/S. 161 of CrPC recorded by the Police, medical report of the victim along with the request for the medical exmination by the police, and arrest memo of the accused alongwith the case dairy is attached hereby. Thus; this present chargesheet has been filed against Dharmesh Pradhan @ John Dcouza @ Neeraj Modi u/Ss. 406, 417, 419, 376, 324, 326 498A of the Indian Penal Code, 1860 upon finding prima facie material for constituting offences under the abovementioned provisions. Therefore; upon the permission of the S.P.; Khordha; I; Ramesh Mohanty; Sub-Inspector, Khandagiri P.S. am submitting the chargesheet./ final report..... against Dharmesh Pradhan @ John Dcouza @ Neeraj Modi aged 51 years S/o Amit Bhai Modi, R/o Plot No. 3/ 22, Near Khandagiri, Bhubaneswar - 751003 u/Ss. 406, 417, 419, 376, 324, 326 498A of the Indian Penal Code, 1860..... through Chargesheet No. dated 26/05/2017 and I am hereby concluding the.....

17. Refer Notice served Yes/No

Date: 26/05/201

18. Despatched on 26/05/201

Forwarded by Station House Officer
Officer/Officer in-charge

Name: Khageswar Pradhan

Rank: Inspecto No. LR25681OT

Signature of the Investigating officer
submitting the Final Report / Charge Sheet

Name: Ramesh Mohanty

Rank: S.I., No. LI69872LP
Khandagiri P.S.