

POCSO Case No. 14(LDV)/2026

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State-Vs- Lalnunpuia

Roing PS Case No. 40/2025 u/s 329(4)/75(2) BNS r/w section 10/12 POCSO Act

IN THE COURT OF DISTRICT & SESSIONS JUDGE-CUM SPECIAL JUDGE POCSO

Anjaw/Dibang Valley/Lohit/Lower Dibang Valley/Namsai Districts

Hq. Tezu, Arunachal Pradesh

Present: Mr. Gote Mega

Special Judge, POCSO



05.10.2026

ORDER

1. The accused appeared along with his learned PDC, Mr. J. C. Lalnunsanga. Mr. P. Padung, Ld. SPP, is present.
2. Heard the submissions of the Ld. SPP and the Ld. PDC on the point of law and facts.
3. The Ld. SPP submits that substantial evidence prima facie discloses negligence on the part of the school authority of Mount Carmel School, Roing, which was run by Dibang Lohit Namsai Baptist Church Association. The accused, being both the hostel warden of the girls' dormitory and the Principal of the school, was informed of the unauthorized entry of a stranger into the girls' hostel. The said stranger molested a girl, and the incident was duly reported to the accused. However, he failed to promptly inform the police authority. On this basis, the Ld. SPP prays for framing of charge under Section 21 of the POCSO Act.
4. Per contra, the Ld. PDC submits that the evidence collected during investigation does not establish non-reporting of the crime to the police authority. It is contended that the accused first came to know of the unauthorized entry and commission of the offence on

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07.07.2025 at about 6 AM through one of the teachers, Ms. Anne, who informed the Chairman of the school by 8 AM. The Chairman, in turn, apprised the Executive Secretary at 9 AM. A meeting of the school authority was convened at 10 AM, wherein it was decided that female teachers would inspect the girls in the dormitory. By 6 PM, the parents of the victim were informed and requested to meet the school authority for further action. Meanwhile, some guardians and relatives apprehended the suspects from a nearby construction site and paraded them before the victims. This led to violence and ransacking of the school premises. Consequently, the incident could not be promptly reported to the police until 7:30 PM, when a formal FIR was lodged with the OC, PS Roing.

5. Upon hearing the learned counsels, I have carefully perused the charge-sheet and case record running into 475 pages, including the statements of the victims recorded by the Magistrate and the Investigating Officer. The record reveals that one of the victims had earlier informed the lady teacher, Ms. Anne, residing in the girls' dormitory, about unauthorized entry of a male person and molestation of some girls. On 10.07.2025, another female teacher, Ms. S. Lalnunpari, apprised the School Authority of a similar unauthorized entry. Ms. Anne thereafter informed the present accused, who in turn intimated the Chairman of the School at about 8:00 AM. Consequently, a meeting of the School Management was convened at 10:00 AM.

6. Thereafter, the female teachers examined the victims and found bruises and minor injuries on their private parts. In view of these findings, the School Authority invited the parents of the victims for discussion. The records further disclose that some parents, accompanied by relatives, became agitated and inconsolable upon

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learning of the molestation of several minor girls below 10 years of age. They apprehended certain construction workers from the vicinity, paraded them before the victims, and physically assaulted them.

7. The police subsequently arrived at the school compound and de-escalated the violent and chaotic situation. Thereafter, at about 11:30 PM on 10.07.2025, the Executive Secretary of the School, Mr. James Litin, submitted a written FIR as cited above. The Investigating Officer commenced preliminary investigation during the intervening night of 10th and 11th July, 2025. On the morning of 11.07.2025, the mob apprehended one person, namely Riza Ul Karim of Mayu, Roing, alleged to be the prime suspect in the sexual assault upon the victims. He was subjected to mob-lynching on the same day.
8. Section 19 of the POCSO Act, 2012 mandates that any person, including the child, who has knowledge or even apprehension that a sexual offence against a child has been or is likely to be committed, must inform the Special Juvenile Police Unit or the local police. The provision is designed to ensure immediate care and protection of the abused child and requires reporting to the Child Welfare Committee and the Special Court within 24 hours. The legislative intent is to secure prompt reporting and redressal of sexual offences against children, while safeguarding their well-being.
9. Section 21 of the POCSO Act, 2012 prescribes punishment for failure to report or record offences against children. It criminalizes silence or concealment by individuals, institutions, and police officers, with penalties ranging from six months to one year of imprisonment and/or fine. Importantly, children themselves are exempt from liability.

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Sub-section (1):- Individual Liability

- a. Any person who fails to report an offence under Section 19(1) or Section 20, or fails to record such offence under Section 19(2), is punishable with imprisonment up to six months, or fine, or both.
- b. Applies to any adult individual (teachers, neighbours, relatives, doctors, etc.) and also to police officers who refuse to register a complaint.

Sub-section (2):- Institutional Liability:

- a. Any person in charge of a company or institution (school principal, employer, orphanage superintendent, etc.) who fails to report an offence committed against a subordinate under their control is punishable with imprisonment up to one year and fine.
- b. Targets heads of institutions who conceal or ignore abuse.

Sub-section (3):- Exemption of Child:

The duty to report does not apply to children. A child cannot be punished for failing to report their own abuse.

9. From the conjoint reading of Sections 19 and 21 of the POCSO Act, 2012, it is evident that offences under the Act must be reported to the Special Juvenile Police Unit or the local police within 24 hours of occurrence, failing which punitive action is attracted. In the present case, the school authority lodged the FIR at about 11:30 PM on 10.07.2025, whereas the initial information regarding the offence was received at 6:00 AM on the same day. Thus, the FIR was

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submitted before the jurisdictional Police Station, Roing, within the statutory period of 24 hours. This fact is borne out from the charge-sheet.

10. The materials collected by the Investigating Officer during the course of investigation does not prima facie disclose negligence on the part of the present accused, nor does it establish that he intentionally failed to report the offence to the Juvenile Police Unit, Roing. Despite the massive chaotic situation that erupted in the school premises, the school authority succeeded in informing the jurisdictional police within the prescribed time. There is, therefore, no material to warrant trial of the accused under Section 21 of the POCSO Act. In consequence, the accused Shri Lalnunpuia is discharged of all charges.

11. The bail bond executed by the accused shall remain in force for a further period of six (6) months in terms of Section 481 BNSS.

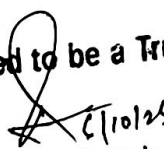
12. The seized articles, if any, shall be disposed of in accordance with law.

13. A copy of this order be furnished to the District Magistrate/Deputy Commissioner, Roing District, Arunachal Pradesh for information.

14. The case is disposed of on contest.

15. The case records be consigned to the Record Room.

Pronounced in open Court under my hand and seal on this 5th day of October, 2026 at Tezu.

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