

IN THE HIGH COURT OF FIJI
AT LAUTOKA
CRIMINAL JURISDICTION

CRIMINAL CASE NO.: 152 OF 2010

STATE

-v-

NAVEEN SINGH

Counsels : **Mr. S. Babitu for the State**
Mr. R. Kumar for the accused

Date of Trial : **03 September -04 September 2013**

Date of Judgment : **05 September 2013**

(Name of the victim is suppressed. She is referred to as SW)

JUDGMENT

1. The accused was charged under following counts:

- (1) Rape
- (2) Indecent assault
- (3) Rape
- (4) Indecent assault
- (5) Indecent assault
- (6) Rape

2. All three assessors unanimously found accused guilty of all the above charges.

3. I direct myself in accordance with the law and the evidence which I discussed in my summing up to the assessors.
4. Considering the nature of the evidence before the court, I am convinced that the prosecution had proved the case beyond reasonable doubt.
5. I find the verdict of the assessors were not perverse. It was open to them to reach such a conclusion on the evidence. I concur their verdict. Considering all I find the accused guilty as charged in respect of Count Nos. 1, 2,4,5,6 & 7.
6. Accordingly I convict Naveen Singh for 1st count of Rape contrary to Section 207 (1) (2) (b) and (3) of the Crimes Decree No. 44 of 2009, 2nd count of Indecent assault contrary to Section 212 (1) of the Crimes Decree No. 44 of 2009, 4th count of Rape contrary to Section 207 (1) (2) (a) and (3) of the Crimes Decree No. 44 of 2009, 5th count of Indecent assault contrary to Section 212 (1) of the Crimes Decree No. 44 of 2009, 6th count of Indecent assault contrary to Section 212 (1) of the Crimes Decree No. 44 of 2009 and 7th count of Rape contrary to Section 207 (1), (2) (a) and (3) of the Crimes Decree No. 44 of 2009.

Sudharshana De Silva

JUDGE

On 5th September 2013

At Lautoka

**Solicitors for the State:
Solicitors for the Accused:**

**Office of the Director of Public Prosecution
Legal Aid Commission**