



**NATIONAL INVESTIGATION AGENCY
MINISTRY OF HOME AFFAIRS, GOVT. OF INDIA
BRANCH OFFICE, GUWAHATI**

**CHARGE SHEET
(Under Section 173 Cr.P.C)
IN THE COURT OF THE LEARNED SPECIAL JUDGE (NIA) DIMAPUR.
State (NIA)
V/s
Enyihi Chakhesang & four (4) others.**

1	Name of the Branch	NIA Branch office, Guwahati.
	FIR Number year and date	RC - 01/2013/NIA-GUW Dated 08.02.2013.
2	Final Report/Charge Sheet No	Charge Sheet No. 01/2015
3	Date	
4	Section (s) of Law	Sections 120B, 409, 465, 468, 471, 34 of IPC & Section 25 (1B) (a), 25 (1) (a) of Arms Act.
5	Type of Final Report.	Charge sheet.
6	If Final Report Un-occurred/ : False/ Mistake of fact/Mistake of law/Non-Cognizable/Civil Nature	Not Applicable.
7	If Charge-sheeted: Original/Supplementary	Original
8	Name of Investigation Officer	Sh. Amalendu Dhar, Dy. S.P, NIA H.Q, New Delhi.
9	Name of the Complainant /Informant :	Sub.2900376 Braj Kishor Jha (53 years) S/o Sh. Premeshwor Jha R/O Vill- Kajhi, PS- Banmankh Dist- Purnia, Bihar, At present- 29 Assam Rifles Firing Range, Dimapur, Nagaland, C/O- 99 APC
10	Details of Properties /Articles/ Documents recovered/seized during the investigation and relied upon	

11. Particulars of accused persons charge sheeted:

A-1

Name	Enyihi Chakhesang @ Enimi Chakhesang (herein after referred to as A-1).
Whether verified	Yes
Father's Name	Lt. Tsehilo Chakhesang
Year/Date of Birth	45 Yrs
Sex	Male
Nationality	Indian
Passport No	NA
Place of issue	NA
Date of issue	NA
Religion	Christian
Occupation	Havilder of Nagaland Police
Address (Present)	Village- Tenyiphe-I, P.S. Diphupar, Dist.-Dimapur, Nagaland.
Address(Permanent)	Same as above.
Whether verified (Address)	Yes
Provisional Criminal No.	NA
Regular Criminal No. (if known)	NA
Date of Arrest	21.04.2012.
Date of release on bail	08.05.2012.
Under Acts & Sections (of charge sheet)	Sections 120B, 409, 34 of IPC & Section 25 (1B) (a) of Arms Act.
Previous convictions with case reference	NA
Status of the accused	Presently on bail.

A-2

Name	Sejongmong Sangtam (herein after referred to as A-2)
Whether verified	Yes
Father's Name	Lt. Selichem Sangtam
Year/Date of Birth	51 years
Sex	Male
Nationality	Indian
Passport No	NA
Place of issue	NA

Date of issue	NA
Religion	Christian
Occupation	Superintendent of Police, Nagaland Police Department.
Address (Present)	Model Colony, Purana Bazar, Dimapur, P.S.- East Dimapur, Nagaland.
Address(Permanent)	Trongar Village, PS- Languhim, Dist-Tuensnag, Nagaland.
Whether verified (Address)	Yes
Provisional Criminal No.	NA
Regular Criminal No. (if known)	NA
Date of Arrest	26.07.2012
Date of release on bail	26.07.2012.
Under Acts & Sections (of charge sheet)	Sections 120B, 409, 34 of IPC & Section 25 (1) (a) of Arms Act.
Previous convictions with case reference	NA
Status of the accused	Presently on bail.

A-3

Name	James Ovung (herein after referred to as A-3)
Whether verified	Yes
Father's Name	Lt. Akhomo Ovung
Year/Date of Birth	41 years
Sex	Male
Nationality	Indian
Passport No	NA
Place of issue	NA
Date of issue	NA
Religion	Christian
Occupation	Dy. S.P, Nagaland Police Department.
Address (Present) :	Forest Colony, P.S. & Dist. Wokha, Nagaland,
Address(Permanent) :	Same as above.
Whether verified (Address)	Yes
Provisional Criminal No.	NA
Regular Criminal No. (if known)	NA
Date of Arrest	26.07.2012
Date of release on bail	26.07.2012.
Under Acts & Sections (of charge sheet)	Sections 120B, 409, 34 of IPC & Section 25

	(1) (a) of Arms Act.
Previous convictions with case reference	NA
Status of the accused	Presently on bail.

A-4

Name	Longlise Sangtam (herein after referred to as A-4)
Whether verified	Yes
Father's Name	Lt. Chumbi Sangtam
Year/Date of Birth	34 years
Sex	Male
Nationality	Indian
Passport No	NA
Place of issue	NA
Date of issue	NA
Religion	Christian
Occupation	Asst. Sub-Inspector of Police, Nagaland Police Department.
Address (Present)	Government Quarter, Police Reserve Line, DEF, Wokha, Nagaland.
Address(Permanent)	Village-Chare, P.O & P.S. -Longkhim, Dist. Tuensang, Nagaland.
Whether verified (Address)	Yes
Provisional Criminal No.	NA
Regular Criminal No. (if known)	NA
Date of Arrest	01.05.2012
Date of release on bail	15.05.2012.
Under Acts & Sections (of charge sheet)	Sections 120B, 409, 465, 468, 471, 34 of IPC & Section 25 (1) (a) of Arms Act
Previous convictions with case reference	NA
Status of the accused	Presently on bail.

A-5

Name	Sashitsungba Ao @ Sashitsungba Longcher (herein after referred to as A-5)
Whether verified	Yes
Father's Name	Lt. Nungsang Meren
Year/Date of Birth	50 years
Sex	Male
Nationality	Indian

Passport No	NA
Place of issue	NA
Date of issue	NA
Religion	Christian
Occupation	ABSI, Nagaland Police Department
Address (Present)	New Colony, Ward No-9, Chumukedima, PS-Diphupar, Dist. Dimapur, Nagaland.
Address(Permanent)	Same as above.
Whether verified (Address)	Yes
Provisional Criminal No.	NA
Regular Criminal No. (if known)	NA
Date of Arrest	04.05.2012
Date of release on bail	15.05.2012
Under Acts & Sections (of charge sheet)	Sections 120B, 409, 465, 468, 471 , 34 of IPC & Section 25 (1) (a) of Arms Act
Previous convictions with case reference	NA
Status of the accused	Presently on bail.

12. Particulars of accused persons not chargesheeted. :

1. Zunglum Yimchunger @ ZungkamYim (23 years) S/o Sh. KamjimongYimchunger r/o vill, PS & PO - Shamator, Dist- Tuensang, Nagaland.
 2. Tsuycnala Yimchunger (45 years) W/o Enyihi Chakhesng r/o Village- Tenyiphe-I, P.S. Diphupar, Dist.- Dimapur, Nagaland,
 3. LankiuYimchunger (70 years) Late Chemkiumong r/o vill, PO & PS- Shamator, Dist- Tuensang, Nagaland.
 4. Arun Das (48 years) S/O Lt. Makhan @ Amarendra Das r/o vill- Fishari Par, Chailengta, P.S- Longtaraivelly, Dist.- Dhalai, Tripura. At present- Driver Constable No. 835 of DEF, Wokha.
- (All the accused persons were arrested by the Nagaland State Police and subsequently released on bail).

13. (i) Particulars of witnesses examined: [REDACTED]
(ii) List/details of documents/Articles: [REDACTED]

14. If FIR is false, action taken: Not false. Allegations in the FIR are true.

15. Result of laboratory analysis: As mentioned in Para 17.15 and 17.16.

16. **Brief facts of the case:**

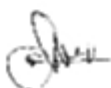
- 16.1 In compliance to Ministry of Home Affairs (MHA) order no. 11011/24/2012-IS-IV dated, 07.02.2013, the instant NIA case was registered on 08.02.2013 arising out of Diphupar PS case No. 40/2012 dt. 21.04.12 u/s 25(1-B) (a) (b) of Arms Act and added Sections 120B / 409 IPC and Sc 29 of Police Act.
- 16.2 The gist of the FIR is that on the basis of secret information, a raid and search was conducted by the 29 Assam Rifles (AR) with the help of Nagaland Police on 20/04/12 at around 2200 hours in the house of Enyimi Chakhesang @ Enyihi Chakhesang, Head Constable (HC) of Nagaland Police in general area of Sukhovi, Dimapur, Nagaland. Four accused persons were detained and 3700 live rounds of 7.62 mm ammunition, 38 nos. magazines of SLR, 1 Magazine of .303 rifle, empty cases of 7.62mm ammunition- 100 nos., ammunition container- 07 nos., Rifle box- 02 nos., 1 Samsung mobile handset were recovered during the search operation. A case was registered at Diphupar P.S. vide Diphupar P.S. case No. 40/12 against the FIR named accused Enyimi Chakhesang @ Enyihi Chakhesang, Tsuyenla Yimchunger, Zungkum Yimchunger @ Zungkum Yim and Lankiu Yimchunger on the basis of the written complaint lodged by Sub. Brajkishore Jha of 29 Assam Rifles. The case was registered u/s 25 (1B) of Arms Act but subsequently sections 409 / 120B of IPC and Sc 29 of Police Act were added. During the course of investigation conducted by the Nagaland State Police, another 18 nos. of SLR magazine were recovered on 25.04.12 from the Police Central Store, Chumukedima, Dimapur, Nagaland. The recovery was made on the basis of disclosure of accused Enyimi @ Enyihi Chakhesang.
- 16.3 As per order of the Id. NIA Court, Dimapur dt. 20.05.13, the case docket in connection with Diphupar P.S. FIR No. 40/12 was collected with all relevant documents and seized materials from the Hon' ble NIA Court, Dimapur.

17. **Facts Disclosed During Investigation:**

- 17.1 During investigation it has been revealed that ASI Longlise Sangtam (A4) of District Executive Force (*here in after referred as DEF*), Wokha has collected 4845 live rounds of 7.62 mm ammunition on 08.04.11 and another 4845 live rounds of 7.62 mm ammunition on

24.02.12 from Police Central Store (*here in after referred as PCS*), Chumukedima for the purpose of Annual Classification Firing (*here in after referred as ACF*). The District Executive Force, Wokha is a branch of S.P. office, Wokha, functioning under the control of the S.P., Wokha, Nagaland.

- 17.2 In the year 2011, there was no ACF held in the District Executive Force, Wokha. On 14th and 15th of March, 2012 ACF was held in the Firing Range of Wokha and on 16th of March, 2012, ACF was held in the Bhandari Firing Range which comes under DEF, Wokha.
- 17.3 On 14.03.2012, total 60 (Sixty) firers fired 900 (Nine hundred) rounds of 7.62 mm ammunition. On 15.03.2012, total 76 (seventy six) firers fired 1140 (One thousand one hundred & forty) rounds of 7.62 mm ammunition in Wokha Firing Range. On 16.03.2012, total 36 (thirty six) firers fired 540 (five hundred & forty) rounds of 7.62 mm ammunition in Bhandari Firing Range at the rate of 15 (fifteen) rounds fired by each firer in both the Firing Ranges. Thus, 172 firers have fired 2580 (Two thousand five hundred & eighty) rounds of 7.62mm ammunition out of 9690 live rounds. The remaining 7110 live rounds of 7.62 mm ammunition were not utilised in the ACF.
- 17.4 Investigation further reveals that accused Enyihi Chakhesang (A-1), Scjongmong Sangtam (A-2), James Ovung (A-3), Longlise Sangtam (A-4) and Sashitsungba Ao @ Sashitsungba Longcher (A-5) entered into a criminal conspiracy with common intention to commit criminal breach of trust by indulging in activities of pilferage of 7100 live rounds of 7.62 mm ammunition from District Executive Force (DEF), Wokha and to sell those ammunition for wrongful gain. The pilfered ammunitions were the ammunitions which were not utilised in the Annual Classification Firing held in the District Executive Force, Wokha from 14th to 16th of March, 2012.
- 17.5 Accused Longlise Sangtam (A-4) and Sashitsungba Ao @ Sashitsungba Longcher (A-5) prepared two false deposit vouchers of 4800 rounds of empty cases of 7.62 mm ammunition against each voucher to deposit at PCS, Chumukedima from DEF, Wokha. Accused James Ovung (A-3) has put his signature as issuing officer on those two false deposit vouchers of empty cases of 7.62 mm ammunition. A-4 and A-5 used the said two false deposit vouchers as genuine.
- 17.6 Accused Longlise Sangtam (A4) prepared two false ACF statements for the year 2011 and 2012 separately showing 320 firers have fired 15 rounds of 7.62 mm ammunition by each firer in each year i.e. total 9600 rounds of 7.62 mm ammunitions were shown fired. Accused James Ovung (A-3) has also put his signature on both the false ACF statements as issuing officer. A-3 and A-4 used the said two false ACF statements as genuine.
- 17.7 As part of the conspiracy, accused Longlise Sangtam (A-4) has handed over 7100 rounds of 7.62 mm live ammunition to accused Enyihi Chakhesang (A-1) on 19.04.2012 in his house at vill Tenyphe-1, Dimapur to sell the above live ammunition at the rate of Rs.50/- (fifty) for



each live rounds and to collect 50% of the sale proceeds. He has also collected Rs. 1, 77,500/- (one lakh seventy seven thousand and five hundred) from Enyihi Chakhesang in the morning of 20.04.2012 as 50% of the sale proceeds of the pilfered 7100 live rounds of 7.62 mm ammunition.

- 17.8 Accused Sashitsungba Ao @ Sashitsungba Longcher (A-5), the then in-Charge, Arms Section, Police Central Store, Chumukedima has put his signature as receiving officer on two false deposit vouchers of 9600 (4800 X 2) empty cases of 7.62 mm ammunition issued from DEF, Wokha, knowing that those deposit vouchers were false. On 20.04.12, only 2500 empty cases of 7.62 mm ammunition were deposited in the Police Central Store, Chumukedima from DEF, Wokha.
- 17.9 Personal vehicle of Sashitsungba Ao @ Sashitsungba Longcher (A-5) was parked in the parking place of the house of accused Enyihi Chakhesang (A-1) on the night of recovery of ammunition and S.I.R magazines etc.
- 17.10 In the evening of 20.04.12, accused Sejongmong Sangtam (A-2) has received Rs. 1, 77,500/- from Longlise Sangtam (A-4) as sale proceeds of above pilfered ammunition. A-2 has kept Rs. 1, 00,000/- (one lakh) as his share .In the morning of 21.04.12, A-2 has handed over Rs. 77,500/- (seventy seven thousand and five hundred) to Longlise Sangtam (A-4) along with a slip mentioning the names of Police personnel and amount to be distributed to them as share of the above illegal transaction.
- 17.11 In the night of 20.04.12, Assam Rifles recovered only 3700 live rounds of 7.62 mm ammunition with S.I.R, magazines etc. from the house of Enyihi Chakhesang (A-1). The remaining 3400 live rounds of 7.62 mm ammunition could not be recovered during investigation as the accused persons did not co operate with the investigation in respect of tracing the remaining 3400 live rounds of ammunition.
- 17.12 During investigation, visited place of occurrence and prepared rough sketch maps with index.
- 17.13 During investigation, seized two copies of false ACF statements containing the names of 320 Police personnel of DEF, wokha in each ACF statement, two false deposit vouchers in respect of deposit of 9600 empty cases of 7.62 mm ammunition from DEF Wokha to PCS, Chumukedima. Original ACF reports were prepared in the firing range on 14.03.2012, 15.03.2012 and 16.03.2012. Also seized the Ammunition Receipt Register and Ammunition empty cases register of DEF, Wokha, ammunition empty cases receipt Register of PCS, Chumukedima, original copy of forwarding of ACF report dt. 16.03.12 submitted to SP, Wokha, Nagaland by James Ovung (A-3), original money distribution slip written by Sejongmong Sangtam (A-2), cash of Rs. 77,500/-and other relevant documents. The documents so seized in connection with the case were sent to CFSL, Guwahati, Assam for scientific analysis of handwriting and signatures made by A1, A2, A3, A4 and A5 on questioned documents. The opinion of the handwriting expert establishes the fact that

the accused persons prepared false documents by putting their signatures on the ACF statements, deposit vouchers, empty cases receipt registers and ammunition receipt register with a common intention to prepare such false documents to adjust the pilfered ammunitions in their official documents maintained at DEF, Wokha and PCS, Chumukedima. One mobile hand set of Samsung was handed over to Diphupar P.S. by Assam Rifles personnel on 21.04.12 along with other seized ammunition etc. but, Insp. Jenmei Konnyak, I.O. of Diphupar P.S. case No 40/2012, could not trace out the said mobile hand set during investigation.


17.14 Investigation further reveals that, when accused Sashitsungba Ao (A-5) was the in-charge of the Arms Section, PCS, Chumukedima, there was a shortage of 3, 81,760 empty cases of 7.62 mm ammunition in Police Central Store, Chumukedima for the period from 03.12.2008 to 02.02.2012. Accused Enyihi Chakhesang (A-1) was working as Havildar in the Arms Section of PCS, Chumukedima during this period. The evidence gathered establishes the fact that A-5 used to show the receipt of higher number of empty cases of 7.62 mm ammunitions in the receipt register in order to show that the empty cases of ammunition he received were actually fired by the Police personnel including the firing at ACF. Whereas, the actual rounds fired by Police personnel not limited to ACF firing is much less than the numbers of empty cases shown on record by A-5.

17.15 During investigation collected the opinion of the hand writing expert from CFSL, Guwahati which reveals that handwritings and signatures on the money distribution slip, ammunition receipt register of DEF, Wokha in respect of receipt of 4845 rounds and 1111 rounds of 7.62 mm ammunition on 22.03.11, signature on the photocopy of false voucher for deposit of 3700 live rounds of 7.62 mm ammunition to PCS, Chumukedima from DEF, Wokha and signature on the order for conducting ACF on 14th to 16th March, 2012 are of accused Sejongmong Sangtam (A-2).

Investigation also disclosed that accused James Ovung (A-3) and accused Sashitsungba Ao (A-5) has put their signature on two false empty cases deposit vouchers of DEF, Wokha as issuing officer (A-3) and receiving officer (A-5) respectively.

In addition to what has been stated above, the investigation established that the hand writings in the empty cases receipt register of PCS, Chumukedima in respect of receipt of empty cases of 7.62 mm ammunition from different Police Units of Nagaland for the period from 03-12-2008 to 02.02.2012 are of accused Enyihi Chakhesang (A-1).

Further disclosed that the hand writings and signatures in the ACF report submitted to SP, Wokha dt. 16.03.12, signature on the last page of the original ACF reports dt. 14.03.12, 15.03.12 and signatures on two false ACF statements are of accused James Ovung (A-3).



- During investigation it has been established that hand writings on two false deposit vouchers of 9600 (4800 X2) empty cases of 7.62 mm ammunition and on photocopy of the voucher for deposit of 3700 live 7.62 mm are of Longlise Sangtam (A-4).
- 17.16 During investigation collected the expert opinion from FSL, Kahilipara, Guwahati, Assam regarding examination of seized 7.62 mm ammunition and Magazine etc. Forensic expert has opined that (1) seized 3700 rounds ammunition are 7.62 mm calibre live cartridges (2) 7.62 mm calibre live cartridges can be housed in seized 38 nos. of SLR magazines (3) 0.303 calibre cartridges can be housed in the seized magazine of .303 Rifle (4) 18 nos. of SLR magazines seized from PCS, Chumukedima are "defective magazines of 7.62 mm calibre Self Loading Rifle.", (5) Out of 100 nos. of empty cases of ammunition, 80 nos. are 7.62 mm calibre empty fired cartridges and 20 nos. empty cases are 0.303 calibre empty fired cartridges. The expert opinion further establishes the fact that the seized magazines and ammunition are live ammunitions, which were recovered from the house of accused Enyihi Chakhcsang (A-1).
- 17.17 The involvement of the accused persons have been established from the statements recorded u/s 164 Cr.P.C as well as u/s 161 Cr.P.C. These witnesses whose statements were recorded are well acquainted with the facts of the case and the versions of the witnesses as stated in their respective statements establishes the complicity of the accused persons in the crime complained herein.
- 17.18 The confessional statement of accused Longlise Sangtam (A-4) and accused Sashitsungba Ao (A-5) u/s 164 Cr.P.C. further establishes their role in the crime. They have revealed the facts as mentioned in the preceding paragraphs.
- 17.19 That in pursuance of the said criminal conspiracy and in furtherance of the common intention, Enyihi @ Enyimi Chakhcsang (A-1) S/o Late Tschilo Chakhcsang r/o vill-Tenyiphe-1, PS- Diphupar, Dist- Dimapur, Nagaland, who was posted in the Police Central Store, Chumukedima as Havilder during the relevant period, has taken possession of 7100 (seven thousand and one hundred) live ammunitions of 7.62 mm from Longlise Sangtham (A-4) on 19.04.2012 and kept in his (A-1) residence at Tenyiphe-1 village, Dimapur with an intention to sell those ammunitions @ Rs. 50/- per ammunition and to keep 50 % of the sale proceeds as share for him and Sashitsungba Ao @ Sashitsungba Longcher (A-5). In the morning of 20.04.2012, he (a-1) handed over a cash amounting to Rs. 1,77,500/- (50% of the sale proceeds of 7100 live 7.62 mm ammunition @ Rs 50/- each) to Longlise Sangtham (A-4). In the night of 20.04.2012 at around 2200 hrs 29 Assam Rifles with Nagaland Police has raided his (A-1) house and recovered 3700 live rounds of 7.62 mm ammunition, 38 nos. of magazines of SLR, 1 Magazine of .303 rifle, 7.62 empty cases-100 nos., ammunition container- 07 nos., and Rifle box- 02 in nos. On 25.04.2012, as per disclosure of Enyihi @ Enyimi Chakhcsang another 18 nos. of SLR magazines were recovered from the Police Central Store (PCS), Chumukedima, Dimapur, Nagaland in connection with the case. He (A-

1) was posted as 2nd in command in the Arms Section of Police Central Store, Chumukedima during the relevant time and has falsely shown receipt of 9600 empty cases of 7.62 mm ammunition, though he (A-1) had received only 2500 empty cases of 7.62 mm ammunition on 20.04.12 from District Executive Force (DEF), Wokha. From the averments made herein and in the preceding paragraphs, the complicity of the accused person Enyihi @ Enyimi Chakhesang (A-1) is clearly established and thus he (A-1) is liable to be prosecuted under sections 120B, 409 and 34 of IPC and Section 25 (1B) (a) of Arms Act.

17.20 That from the facts revealed during investigation as discussed in preceding paragraphs, it has been established that Sejongmong Sangtam (A-2) s/o Late Selichem Sangtam r/o Trongar village, PS- Languhim, Dist- Tuensang, Nagaland, presently residing at- Model Colony, Purana Bazar, PS- East Dimapur, Nagaland, was posted as Superintendent of Police, Wokha, Nagaland. During his tenure as SP, Wokha, a total 9690 live rounds of 7.62 mm ammunition against two vouchers of 4845 rounds each were collected from Police Central Store, Chumukedima for conducting Annual Classification Firing (ACF) for 2011 and 2012 in DEF, Wokha. There was no ACF held in Wokha in the year 2011. The ACF was held in Wokha Firing Range on 14th and 15th of March, 2012 and on Bhandari Firing Range under Wokha DEF, on 16th of March, 2012. Total 172 firers have attended the firing and fired total 2580 rounds of 7.62 mm ammunition @ 15 rounds by each firer. Total 7110 rounds of 7.62 mm live ammunition were not utilized. Accused Sejongmong Sangtam entered into a conspiracy with a common intention with the accused persons, James Ovung (A-3), Longlise Sangtam (A-4), Sashitsungba Ao @ Sashitsungba Longcher (A-5) and Enyihi Chakhesang (A-1) to pilfer the above unused ammunition with an intention to sell in exchange of money for wrongful gain. Accordingly as per his (A-2) instruction accused Longlise Sangtam (A-4) has prepared two false vouchers for deposit of 9600 (4800 X 2) rounds of empty cases of 7.62 mm ammunition to PCS, Chumukedima. Accused James Ovung (A-3) has put his signature on both the false deposit vouchers of empty cases of 7.62 mm ammunition. As per his (A-2) direction, accused James Ovung (A-3) and Longlise Sangtam (A-4) have prepared two false ACF statements for the year 2011 and 2012 separately showing 320 firers have fired 15 rounds of 7.62 mm ammunition in each year i.e. total 4800 X 2 = 9600 rounds of 7.62 mm ammunition were shown fired against above two false ACF statements. Accused James Ovung (A-3) has also put his signature on both the false ACF statements as per direction of accused Sejongmong Sangtam (A-2). On 19.04.2012, he (A-2) has spared his 2nd vehicle [REDACTED] to Longlise Sangtam (A-4) for shifting of ammunitions from Wokha to Dimapur. As part of the above conspiracy, accused Longlise Sangtam has handed over a total of 7100 rounds of 7.62 mm live ammunition to accused Enyihi Chakhesang (A-1) in his (A-1) house at Dimapur for sale. Assam Rifles could recover a total of 3700 live rounds of 7.62 mm ammunition with magazines etc. in the night of 20.04.12 from the house of Enyihi Chakhesang (A-1). In the evening of 20.04.12, A-2 has received cash amount of Rs 1, 77,500/- from Longlise Sangtam (A-4) as sale proceeds of above ammunition. He (A-2) has kept Rs. 1,00,000/- (One lakh) as his share. In the morning of 21.04.2012, he had sent cash



amounting to Rs. 77,500/- to Longlise Sangtam (A-4) along with a piece of paper mentioning names of Police personnel and amount to be distributed to each of them as share of above illegal transaction. Further, A-2 had issued two ACF orders for subsequent two years i.e. 2011-12 and 2012-13 whereas during the course of investigation it has been revealed that the ACF was held only for one year i.e. from 14th to 16th of March, 2012. Thus, he (A-2) has committed offences under sections 120 B, 409, 34 of IPC and Section 25 (1) (a) of Arms Act.

- 17.21 That from the facts revealed during investigation as discussed in the preceding paragraphs, it has been established that **James Ovung (A-3) S/o Lt. Akhomo Ovung Forest Colony, P.S. & Dist. Wokha, Nagaland**, was posted as SDPO, Wokha during the relevant period. He (A-3) has put his signature on two false deposit voucher for deposit of 9600 (4800x2) rounds of empty cases of 7.62 mm ammunition on 19.04.2012. He (A-3) has also signed two false ACF statements for the year 2011 -12 and 2012-13, showing 4800 rounds of 7.62 mm ammunition fired by 320 firers @ 15 rounds by each firer, for each ACF. But, the actual number of 7.62 mm ammunition fired in ACF of DEF, Wokha was 2580 rounds, which were fired by 172 firers @15 rounds each. He (A-3) has entered into a criminal conspiracy with common intention with accused Enyihi Chakhesang (A-1), Sejongmong Sangtam (A-2), Longlise Sangtam (A-4), Sashitsungba Ao @ Sashitsungba Longcher (A-5) and pilfered 7100 live rounds of 7.62 mm ammunition from DEF, Wokha on 19.04.12 and handed over to accused Enyihi Chakhesang (A-1) as per previous arrangement for sale in exchange of Rs. 50/- per live rounds. Assam Rifles could recover only 3700 live rounds of 7.62 mm ammunition from the house of accused Enyihi Chakhesang on the night of 20.04.12. Thus, he (A-3) has committed offences under sections 120B, 409, 34 of IPC, Sections 25 (1) (a) of Arms Act.
- 17.22 That from the facts revealed during investigation as discussed in the preceding paragraphs, it has been established that **Longlise Sangtam (A-4) S/o Lt. Chumbi Sangtam, r/o Village-Chare, P.O & P.S.- Longkhim, Dist. Tuensang, Nagaland**, was posted in DEF, Wokha District as Reserve Officer (Clothing). He (A-4) entered into a criminal conspiracy with common intention with other accused Enyihi Chakhesang (A-1), Sejongmong Sangtam (A-2), James Ovung (A-3), Sashitsungba Ao @ Sashitsungba Longcher (A-5) and pilfered 7100 live rounds of 7.62 mm ammunition from DEF, Wokha by making two false deposit vouchers of empty cases of 7.62 mm ammunition and two false ACF statements, for using them as genuine He has handed over the pilfered ammunition to accused Enyihi Chakhesang (A-1) on 19-4-12 to sell the above ammunition in exchange of Rs. 50/- for each live round of ammunition. As part of the conspiracy, he (A-4) has collected Rs. 1, 77,500/- from accused Enyihi Chakhesang (A-1) on 20.04.12 morning as 50% of the sale proceeds of 7100 live rounds of 7.62 pilfered ammunition. Further, he (A-4) has handed over the said money to accused Sejongmong Sangtam (A-2) in the evening of 20.04.2012. In the morning of 21.04.2012, accused Sejongmong Sangtam (A-2) has sent Rs. 77,500/- to A-4 with a written slip mentioning the names of Police personnel and an amount to be distributed to each of

them as share of the sale proceeds of the pilfered ammunition. State Police could recover the said amount of Rs. 77,500/- from him. Thus, he (A-4) has committed the offences under sections 120B, 409, 465, 468, 471, 34 of IPC and Section 25 (1) (a) of Arms Act.

17.23 That from the facts revealed during investigation as discussed in the preceding paragraphs, it has been established that Sashitsungba Ao @ Sashitsungba Longcher (A-5) S/o Lt. Nungsang Meren r/o New Colony, Ward No-9, Chumukedima, P.S.- Diphupar, Dist. Dimapur, Nagaland was posted as in-charge of the Arms section of Police Central Store, Chumukedima, Dimapur. He (A-5) with other accused person Enyihi Chakhesang (A-1), Sejongmong Sangtam (A-2), James Ovung (A-3), Longlisc Sangtam (A-4) entered into a criminal conspiracy with a common intention to pilfer 7100 live rounds of 7.62 mm ammunition from DEF, Wokha and as part of the conspiracy, accused Longlisc Sangtam (A-4) has handed over the ammunition to accused Enyihi Chakhesang (A-1) on 19.04.12 for further sale at the rate of Rs. 50/- per live round of ammunition. He (A-5) and Enyihi Chakhesang (A-1) have got share of 50% of the sale proceeds of above pilfered ammunition. The 29 Assam Rifles could recover only 3700 live rounds of 7.62 mm ammunition on the night of 20.04.12 from the house of accused Enyihi Chakhesang (A-1) but remaining 3400 live rounds of ammunition could not be recovered by the Assam Rifles. He (A-5) has also put his signature as receiving officer on two false deposit vouchers of 9600 (4800 X 2) empty cases of 7.62 mm ammunition of DEF, Wokha, whereas actually only 2500 empty cases were deposited in Police Central Store, Chumukedima from DEF, Wokha on 20.04.12. He (A-5) has put his signature on both the above false deposit vouchers of empty cases of 7.62 mm ammunition knowing fully well that those vouchers were false. His (A-5) personal vehicle was parked in the parking place of the house of the accused Enyihi Chakhesang (A-1) on the night of recovery (i.e. on 20.04.12) of 3700 rounds of ammunition etc. from the house of Enyihi Chakhesang (A-1). Thus, the said accused (A-5) has committed offences under sections 120B, 409, 465, 468, 471, 34 of IPC and Section 25 (1)(a) of Arms Act.

17.24 During investigation (1) ZungkumYimchunger @ Zungkam Yim (23 years) S/o Sh. Kamjimong Yimchunger r/o vill, PS & PO - Shamator, Dist- Tuensang, Nagaland (2) Tsuyenala Yimchunger W/o Enyihi Chakhesang R/o Village- Tenyiphe-I, P.S- .Diphupar, Dist.- Dimapur, Nagaland, (3) LankiuYimchunger (70 years) Late Chemkiumong r/o vill, PO & PS- Shamator, Dist- Tuensang, Nagaland and (4) Arun Das (48years) S/O Lt. Makhan @ Amarendra Das r/o vill- Fishari Par, Chailengta, P.S- Longtaraivelly, Dist.- Dhalai, Tripura, at present- Govt. quarter of Police Reserve Line, DEF, Wokha, Nagaland were arrested by the Nagaland State Police in connection with the case. During investigation sufficient prosecutable evidence could not be collected to prosecute them in this case, though systematic efforts were made. Hence, they may kindly be discharged from the liabilities of the case and the bailers may kindly be discharged from the liabilities of their bail bond.



18. CHARGE

1. Enyihi @ Enyimi Chakhsang (A-1) under sections 120B, 409 and 34 of IPC and Sections 25 (1B) (a) of Arms Act.
 2. Sejongmong Sangtam (A-2) under sections 120B, 409 and 34 of IPC and Section 25 (1)(a) of Arms Act.
 3. James Ovung (A-3) under sections 120B, 409 and 34 of IPC and Sections 25 (1)(a) of Arms Act.
 4. Longlise Sangtam (A-4) under sections 120B, 409, 465, 468, 471 and 34 of IPC and Section 25 (1) (a) of Arms Act.
 5. Sashitsungba Ao @ Sashitsungba Longcher (A-5) under sections 120B , 409, 465, 468,471 and 34 of IPC and Section 25 (1)(a) of Arms Act.
- 18.1 The sanction for prosecution of the aforementioned accused persons under Section 197 of Criminal Procedure Code, 1973 and Section 39 of Arms Act have been obtained from the competent authorities.
- 18.2 All the aforesaid offences have been committed within the jurisdiction of this Hon'ble Court. Hence, this Hon'ble Court has got jurisdiction to try the above offences.
- 18.3 It is, therefore, prayed that in the light of the averments herein, documents and other materials filed with this Police report u/s 173 Cr.P.C this Hon'ble court may kindly take cognizance of the offences committed by the accused persons and take such steps for trial as deemed appropriate.

19. Dispatched on :

20. No. of enclosures :

21. List of enclosures :



Signature of the Investigating Officer submitting the Final Report/Charge sheet

Amalendu Dhar
(Amalendu Dhar) Dy. SP
Chief Investigating Officer
National Investigation Agency.

Forwarded by,

[Signature] 27/01/15
Superintendent of Police
National Investigation Agency
NIA Branch office, Guwahati