

GAHC010090292022



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : Crl.Rev.P./239/2022

NIRMAL KALITA
S/O LATE HARAKANTA KALITA
R/O SALBARI NO. 1, PACHATIRTHA PATH, HOUSE NO. 60, P.O. AND P.S.
NOONMATI,
GUWAHATI-781020, DIST. KAMRUP (M), ASSAM.

VERSUS

THE STATE OF ASSAM AND ANR.
REP. BY THE PP, ASSAM

2:CHAMPA KALITA
W/O SRI NORMAL KALITA
R/O SALBARI NO. 1

PACHATIRTHA PATH
HOUSE NO. 60
P.O. AND P.S. NOONMATI

GUWAHATI-781020
DIST. KAMRUP (M)
ASSA

Advocate for the Petitioner : MR. A K JAIN

Advocate for the Respondent : PP, ASSAM

**BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA**

ORDER

Date : 27.06.2024

Heard Mr. A.K. Jain, learned counsel appearing for the petitioner, Mr. D.Das, learned Addl. P.P. for the State of Assam/respondent No.1 and Ms. D. Ghosh, learned counsel appearing for the respondent No. 2.

This revision petition has been filed under Section 397 of the Code of Criminal Procedure, 1973 challenging the order dated 02.08.2021 passed by the Special Judge, POCSO, Kamrup(M), Guwahati in Sessions Case No. 102/2021.

The petitioner was earlier charged under Sections 354/354(A) of the Indian Penal Code read with Section 12 of the POCSO Act. Subsequently, after examination of some witnesses, the charges under Sections 6 and 10 of the POCSO Act were added to the charges framed.

The petitioner has filed this petition challenging this act of the Trial Court.

After hearing the learned counsels of both sides, I find that there is nothing wrong in the impugned order. However, the petitioner shall have the liberty to cross-examine the witnesses who are already examined and cross-examined.

With the aforesaid direction, the revision petition stands closed and disposed of.

The LCR shall be returned.

JUDGE

Comparing Assistant