

**HIGH COURT OF TRIPURA
AGARTALA**

Crl. Petn. No.2 of 2026

- 1. Sri Dilip Kumar Singh,**
S/o Late Guna Singh, Age 34 years,
- 2. Sri Ritosh Kumar Singh,**
S/o Late Guna Singh, Age 26 years,
- 3. Smt. Munna Devi,**
W/o Sri Dilip Kumar Singh, Age 30 years,
- 4. Smt. Dumani Devi,**
W/o Guna Singh, Age 72 years.

All are resident of Khejurbagan, Goyalabasti,
P.S.:N.C.C., District: West Tripura.

----- Accused-Petitioner(s)

Versus

The State of Tripura,
Represented by the Secretary,
Home Department, Government of Tripura, Agartala.

-----Respondent(s)

For Petitioner(s)	:	Mr. Anjan Kanti Pal, Adv.
For Respondent(s)	:	Mr. Raju Datta, P.P.

HON'BLE MR. JUSTICE BISWAJIT PALIT

Order

11/02/2026

This petition under Section 482 of Cr.P.C. is filed challenging the order dated 28.11.2025 passed by Learned Special Judge (POCSO), Court No.3, West Tripura, Agartala in connection with SPL (POCSO) 30 of 2022.

2. Heard Learned Counsel, Mr. Anjan Kanti Pal appearing on behalf of the accused-petitioners. Also heard Learned P.P., Mr. Raju Datta appearing on behalf of the respondent-State.

3. Taking part in the hearing, Learned Counsel for the accused-petitioners drawn the attention of this Court that at the time of lodging the Court complaint, which was forwarded to O/C of the concerned PS for investigation, the informant mentioned the name of the accused persons as Sri Dilip Roy, Sri Ritosh Kumar Roy, Smt. Munna Devi and Smt. Dumini Devi but the I.O. after completion of investigation laid charge-

sheet against Sri Dilip Kumar Singh, Sri Ritosh Kumar Singh, Smt. Munna Devi and Smt. Dumani Devi. According to Learned Counsel for the accused-petitioners said Dilip Kumar Singh and Ritosh Kumar Singh are not Dilip Roy and Ritosh Kumar Roy and as such, they have been falsely implicated in this case. Accordingly, on behalf of the accused persons, an application was submitted before Learned Trial Court on the ground of maintainability of this case. But, the Learned Trial Judge, vide order dated 28.11.2025, rejected the application filed on behalf of the accused-petitioners and accordingly, the present petition is filed before this Court. It is further submitted by Learned Counsel for the accused-petitioners that no *prima facie* materials is revealed against any of the accused persons in course of investigation of the case for filing charge-sheet, but, the I.O. has submitted false charge-sheet against the accused-petitioners and prayed for quashing the entire proceeding pending before the Learned Trial Court.

4. On the other hand, Learned P.P. appearing on behalf of the State-respondent first of all drawn the attention of this Court that admittedly, in the initial Court complaint the informant mentioned the name of one Dilip Roy, Ritosh Kumar Roy, Munna Devi and Dumini Devi but the I.O. after completion of investigation submitted charge-sheet against Sri Dilip Kumar Singh, Sri Ritosh Kumar Singh, Munna Devi and Dumani Devi. Learned P.P. submitted that those are the same persons and it is the settled position of law that the F.I.R. does not contain all the details. Learned P.P. further drawn the attention of this Court referring the deposition of the alleged victim wherein during her examination before the Court, she specifically disclosed the names of the four accused persons as Sri Dilip Kumar Singh, Sri Ritosh Kumar Singh, Smt. Munna Devi and Smt. Dumani Devi. So, according to Learned P.P. there is no

merit in this petition. Learned P.P. submitted that since the trial of this case is going on so, prosecution may be given the liberty to adduce the rest of the witnesses. Further, Learned P.P. submitted that since the present accused-petitioners could not cross-examine 4(four) numbers of witnesses, so liberty may also be given to the accused persons to cross-examine those witnesses of the prosecution for fair adjudication of the case.

5. I have heard both the sides and perused the relevant papers annexed with the petition.

6. It appears that initially one Court complaint was filed by the informant in the name of Sri Dilip Roy, Sri Ritosh Kumar Roy, Smt. Munna Devi and Smt. Dumini Devi but after completion of investigation the I.O. has laid charge-sheet against Sri Dilip Kumar Singh, Sri Ritosh Kumar Singh, Smt. Munna Devi and Smt. Dumani Devi. Accordingly, cognizance was taken and the trial has been commenced and up to this stage, probably three to four numbers of witnesses have been examined from the side of the prosecution.

7. I have also perused the statement of the victim wherein she categorically disclosed the name of all the present petitioners as the accused of the alleged case. It is also the settled position of law that the F.I.R. does not contain all the details of the prosecution case. But, on the basis of the F.I.R., the prosecution sets into motion and it is the investigating agency, who after completion of investigation, if *prima facie* is satisfied, laid charge-sheet against the accused persons in any case.

Situated thus, since the I.O. of this case has submitted charge-sheet against the present accused-petitioners and the trial of the case is going on. So, at this stage I do not find any merit in the petition

filed by the accused-petitioners. Hence, the present petition filed under Section 482 of Cr.P.C. stands rejected being devoid of merit.

However, liberty is given to the accused-petitioners to cross-examine the witnesses whose evidence has already been recorded by the Learned Trial Court. Accordingly, Learned Trial Court is asked to allow the present accused-petitioners to cross-examine all the witnesses of the prosecution whose evidence is already recorded and who could not be cross-examined by the accused persons for pendency of this petition.

The calendar be fixed accordingly by the Learned Trial Court. Thereafter, on conclusion of trial, Learned Trial Court may deliver judgment in accordance with law.

With this observation, the instant petition stands disposed of.

A copy of this order be communicated to Learned Trial Court for information and compliance.

JUDGE



Snigdha

**SNIGDHA
DAS**

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