

30.09.2021  
Item no. 61  
Court No.32.  
S.De.  
(Rejected)

**(Via Video Conference)**

**CRM 4680 of 2021**

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 12.07.2021 in connection with Singur Police Station Case No. 248 of 2020 dated 03.11.2020 under Section 376(3) of the Indian Penal Code and Section 4(2) of the Protection of Child from Sexual Offence Act.

And

**In the matter of : Deb Kumar Bag.**

.....Petitioner.

Mr. Suman Chakraborty, Advocate,

.....for the Petitioner.

Mr. Saswata Gopal Mukherjee, Ld. P.P.,

Mr. F. Hossain, Advocate,

Mr. Aniket Mitra, Advocate,

.....for the State.

The petitioner is about 24 years old and he says that he has been wrongly implicated in this case. There was a love affair between him and the victim girl who is about 16 years old. The family of the victim girl filed the criminal complaint.

We have seen the statement of the victim girl recorded under Section 164 of the Code of Criminal Procedure. The statement does not corroborate the petitioner's stand.

The petitioner says that compromise has been arrived at by and between the petitioner and the victim.

We are not inclined to take cognizance of such compromise given that the charge is under the POCSO Act and the victim is a minor. Apparently, the petitioner has promised to marry the victim. However, such marriage obviously cannot take place till the victim attains majority. Within the next two years circumstances may change and the petitioner may not keep his promise.

We are of the opinion that in view of the nature and gravity of the offence, law should be allowed to take its own course. We also notice that the petitioner's prayer for bail was rejected by a co-ordinate Bench on March 25, 2021 in CRM 1384 of 2021.

CRM 4680 of 2021 is, accordingly, dismissed.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

**(Bivas Pattanayak, J.)**

**(Arijit Banerjee, J.)**