

07.01.2021

Item No.21
Ct.No.42
dc.

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION**

C.R.R. 1940 of 2020

**Kunal Sharma
versus
The State of West Bengal**

In Re: An Application under Section 482 of the Code of Criminal Procedure, 1973 filed in connection with Beliaghata P.S. Case No. 121 of 2020 dated 29.06.2020 (G.R. Case No. 1645 of 2020) under Sections 387/506/509/120B of the Indian Penal Code read with added Section 66C and 66D of the Information Technology Act, 2005 pending before the learned Additional Chief Judicial Magistrate, Sealdah.

Mr. Jayanta Narayan Chatterjee,
Mr. Debasis Mitra,
Mr. Nazir Ahmed ... For the Petitioner.

Mr. Madhusudan Sur,
Mr. Dipankar Paramanick ... For the State.

The petitioner is aggrieved by the order dated 09.12.2020 passed by the learned Additional Sessions Judge, 1st Court, Sealdah in Criminal Revision No. 20 of 2020 wherein the learned court was pleased to reject the criminal revision filed by the present petitioner and affirm the orders dated 13.09.2020 and 07.11.2020 passed by the learned Additional Chief Judicial Magistrate, Sealdah in connection with Beliaghata P.S. Case No. 121 of 2020 dated 29.06.2020.

The contention of the petitioner is regarding the plea of juvenility. The record reflects that the petitioner is yet to appear or be produced before the court. In view of the circumstances under which the contentions have been

advanced by the petitioner, I hold that the issue is premature. The petitioner shall either appear or be produced before the learned Additional Chief Judicial Magistrate, Sealdah. Once the petitioner appears or is produced before the learned Magistrate, it is only then, the petitioner will have the liberty to canvass his points before the court. Needless to state that if the issue involves plea of juvenility, the learned court would consider the same in accordance with law after the accused appears or is produced before the concerned court.

With the aforesaid observations, CRR 1940 of 2020 is disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with the necessary formalities.

(Tirthankar Ghosh, J.)