

D/L25
24.11.2022
Bpg.

C.R.R.2151 of 2021

In Re: An application under Section 401 read with Section 482 of the Code of Criminal Procedure, 1973;

Chanchal Sharma
Versus
State of West Bengal and another

Mr. Debangana Bhattacharya
Mr. Bijay Bagh,
Mr. Sagar Chakravarty,
Mr. Aranya Basu.
...for the petitioner.

Mr. Imran Ali,
Ms. Manisha Sharma.
...for the State.

Report submitted by the Officer-in-Charge, Belur Police Station through Mr. Imran Ali, learned advocate appearing for the State be kept with the record.

Report reflects that the examination of the present petitioner being CSW-1 is fixed on 17th January, 2023.

The grievance of the petitioner is that she intended to place her age proof certificate which was issued by the School Authorities with the Investigating Agency and subsequently before the learned trial court also. However, her application was not accepted. The learned trial court has already framed charges.

In view of the date for evidence of the present petitioner being fixed on 17th January, 2023, I direct that on the said date when the examination-in-chief of the petitioner will be conducted before the learned trial court, petitioner in her evidence would be

entitled to take up the plea relating to her age with the document being placed through the learned public prosecutor before the learned trial court. Once such document is placed before the learned trial court, learned trial court would freshly consider whether there can be any amendment of charges or any offence made out under any special Act. Learned trial court will thereafter decide the future course of action.

With the aforesaid observations, CRR 2151 of 2021 is disposed of.

Pending application, if any, is consequently disposed of.

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

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Tirthankar Ghosh, J.)