

11.01.2023
S/L No.37
KS

C.R.R. 801 of 2021
Jahangir Sk.
-Vs.-
The State of West Bengal & Anr.

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

The revisional application has been preferred challenging the proceedings relating to Kultali Police Station Case No.381 of 2016 dated 02.06.2016 (G.R. Case No.3923 of 2016) under Sections 363/ 366A/ 370/ 372/ 373/ 376/ 120B of the Indian Penal Code and Section 6/ 7 of the POCSO Act. The investigating authority on completion of investigation submitted charge-sheet before the jurisdictional Court. The primary reason for preferring the application for quashing is that the victim girl had an affair with the accused and, as such, the proceedings should be quashed.

As none appeared on behalf of the State, Mr. Madhusudan Sur, learned advocate who ordinarily represents on behalf of the State is directed to represent the case. His appointment may be regularized by the concerned authority.

On perusal of the contentions advanced in the revisional application, I am of the view that the charge-sheet was also submitted

under the provisions of the POCSO Act, 2012, as such, the consent of the victim girl was unwarranted whether she had an affair or not.

Having regard to the aforesaid observations, no interference is called for in the revisional application.

Accordingly, C.R.R. 801 of 2021 is dismissed.

Pending applications, if any, are consequently disposed of.

All parties are directed to act on the server copy of this order downloaded from the official website of this Hon'ble Court.

(Tirthankar Ghosh, J.)