

08.08.2023
Serial no.8
Aloke
Ct. No. 30

CRR 1013 of 2019
Chanchal Sharma
Vs.
State of West Bengal

Mr. Pawan Kr. Gupta
Ms. Sofia Nesar
Mr. Santanu Sett
... for the petitioner

Mr. Binay Panda
Ms. Puspita Saha
... for the State

The present revisional application has been preferred against the impugned order dated 19.09.2018 and 27.09.2018 passed by the learned Chief Judicial Magistrate, Howrah, mechanically accepting the report submitted by investigating officer stating inter alia that Section 4 and 6 of POCSO Act could not be established for which the accused was granted bail by the Learned Sessions Judge, Howrah.

Learned counsel for the petitioner is present.

Mr. Binay Panda, learned counsel for the State is present and has brought the notice of this Court to the order disposing of the revisional application being CRR 2151 of 2021 on 24.11.2022 by a Coordinate Bench of this Court. It is submitted that the said revisional application of the year 2021 was relating to the same grievance as in this revision and the Court in the said revision was pleased to dispose of the revisional application with the direction as follows :

“.....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.....”

Thus, in view of said order, the present revisional application has now become infructuous, as the relief prayed for herein, has already been granted in CRR 2151 of 2021.

The present revisional application being CRR 1013 of 2019 is, thus, disposed of as infructuous.

All connected applications, if any, stands disposed of.

Interim order, if any, stands vacated.

Let a copy of the order be sent to the learned trial court for compliance.

Learned counsel for the State to inform the status of this case to the concerned authority.

(Shampa Dutt (Paul), J.)