

17.07.2023

Item No.61
Ct.No.34
dc.

IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION

C.R.R. 2274 of 2023

In the matter of : **Binod Barman**

... Petitioner.

Mr. Kushal Paul,
Ms. Soma Chowdhury (Bandhu)

... For the Petitioner.

Mr. S. G. Mukherjee, Ld. P.P.,
Md. Anwar Hossain,
Ms. Debjani Sahu

... For the State.

Report dated 16.07.2023 submitted by Mr. Anwar Hossain, learned advocate appearing for the State be kept on record.

The Investigating Officer of the case is satisfied with the identity of the persons. The earlier order reflects that the lady was leading a happy conjugal life and she has been blessed with a child. The incident happened at a stage when the lady was not 18 years of age. Subsequently there has been change of circumstances. The officer has recorded the statement of the victim girl, who is presently married, checked the identity of the said girl as also that of the accused viz. Archana Barman and Binod Barman respectively.

Having considered the report submitted by Sub-Inspector of Police, Raiganj Police Station, Uttar Dinajpur and particularly the change of circumstances with the child having been born and both of the victim and the accused leading a happy conjugal life, I am of the opinion that further continuance of the proceedings arising out of Raiganj Women Police Station Case No. 92 of 2017 dated 30.12.2017 under Sections 341/323/325/354/376/511/506/34 of the Indian

Penal Code read with Sections 8/12/18 of the Protection of Children from Sexual Offences Act be quashed.

The directions passed herein are restricted to the facts of the present case and will not be a precedent in other cases.

The Investigating Officer of the case is present in Court. Further appearance of the Investigating Officer is dispensed with.

The revisional application being CRR 2274 of 2023 is, thus, allowed.

Pending connected application, if any, is consequently disposed of.

All concerned 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 with all requisite formalities.

(Tirthankar Ghosh, J.)