

18.11.2023
Serial no. 285
[G.S.D]

CRR 3997 of 2023

In the matter of : X

... .. Petitioner

MR. SOURAV CHATTERJEE
MR. S. NAG

... PETITIONER

Ms. DEBJANI SAHU

... FOR THE STATE

The petitioner is directed to serve upon Ms. Debjani Sahu, Id. advocate, who ordinarily appears on behalf of the State. Her appearance may be regularised by the concerned authority.

Ld. advocate for the petitioner has restricted his submission to the extent of redacting the name of the petitioner in the public records in consonance of the provisions of Section 33, sub-section (7) of the POCSO Act.

The provisions of Section 33 sub-section (7) is quoted below:

*"The Special Court shall ensure that the identity of the child is not disclosed at any time during the course of investigation or trial;
Provided that for reasons to be recorded in writing, the Special Court may permit such disclosure, if in its opinion such disclosure is in the interest of the child".*

Having considered that the legislature has already given a guideline as also there are subsequent pronouncements of the Hon'ble Supreme Court, I direct the Id. Trial Court which would include the Ld. Special Court as well as the Ld. Juvenile Justice Board, Tamluk, to adhere to the provisions of law and redact the name of the present petitioner and maintain the records of the case in a manner as is provided in the judgment reported in (2019) 2 SCC 703 (*Nipun Saxena v. Union of India*).

With the aforesaid observations, CRR 3997 of 2023 is disposed of.

Pending application, if any, is also disposed of.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court at Calcutta.

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

(Tirthankar Ghosh, J.)