

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

Before:

The Hon'ble Mr. Justice Jay Sengupta

CRR 2723 of 2025

X

Vs.

The State of West Bengal & Ors.

For the Petitioner	:	Ms. Jhuma Sen, Mr. Saikat Pal, Mr. Samsur Laskar, Mr. Anirban Dey.
For the State	:	Mr. Suman De, Mr. Santanu Deb Roy.
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Heard on	:	24.09.2025
Judgement on	:	24.09.2025

Jay Sengupta, J. :

This is an application praying for an expeditious conclusion of a trial in Special (POCSO) Case No.166 of 2023 presently pending before the Additional Sessions Judge (1st Court), Barrackpore, North 24 Parganas arising out of Dakshineswar PS Case No.206 dated 31.10.2023 and also for expeditious consideration of the application for victim's compensation.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is the minor victim in this case. The charges are under Sections 366A, 370, 370A and 120B of the Indian Penal Code and Sections 3, 4,

5, 6, 7 of the Immoral Traffic (Prevention) Act and Sections 4, 6 and 17 of the POCSO Act. The FIR was registered on 31.10.2023. A charge sheet was submitted on 20.12.2023 citing 16 witnesses. Even charges were framed on 28.11.2024. Yet, till date the trial could not be concluded. The alleged victim as PW1 has been time and again summoned by the presiding officer of the Court. On two dates, the presiding officer was absent. On a day, there was a resolution of the Bar. On another day, after examination of the petitioner in part, the matter was adjourned. On another date, cross-examination was rather unceremoniously deferred. Some of the questions in the cross-examination were also quite unsettled. The petitioner had filed an application incorporating the guidelines set by this Court regarding examination of vulnerable witnesses. That has not been decided and has been kept on record. The petitioner has also filed an application for victim's compensation, which has also remained pending. In the interest of justice, a direction may be passed to expedite the proceeding.

Learned counsel appearing on behalf of the State submits as follows. Although the Investigating Agency did their bit in time, it appears that the delay occurred in the proceeding before the Trial Court.

No prejudice will be caused to anyone if a direction is passed to expedite the trial.

It appears that a significant delay has been occasioned in conducting the trial.

Even the applications filed by the victim like for considering the guidelines set by this Court or for victim's compensation have not been decided yet.

In view of the above and the in the interest of justice, the learned Trial Court is directed to conclude the trial in accordance with law and as expeditiously as possible by keeping in mind the statutory stipulations contained in the POCSO Act and more particularly, by deciding the application for victim's compensation at the earliest and not later than a month after the examination of the victim is concluded.

With these observations and directions, the revisional application is disposed of.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)