

HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION

Present:

THE HON'BLE JUSTICE JAY SENGUPTA

CRR 3124 of 2025

XXX

versus

The State of West Bengal and another

For the Petitioner

Ms. Minoti Gomes

Mr. Dilip Kumar Shyamal

Mr. Pratap Kumar Yadav

For the State

Mr. Suman De

Mr. Soumya Basu Roy Chowdhuri

Last heard on

18.09.2025

Judgment on

18.09.2025

JAY SENGUPTA, J:

This is an application praying for expeditious disposal of a proceeding in Special Case No.82 of 2024 pending before the learned Additional Sessions Judge and Special Judge under the POCSO Act, Baruipur at South 24 Parganas

arising out of Narendrapur Police Station Case No.612 of 2024 dated 19.05.2024 under Section 376AB of the Indian Penal Code and Section 6 of the POCSO Act.

Affidavit of service filed by the petitioner is taken on record.

Despite service, no one appears on behalf of the accused/opposite party No.2.

Learned counsel for the petitioner submits that the petitioner is the de facto complainant and the mother of the alleged victim. The unfortunate incident happened on 18.05.2024. An FIR was registered on 19.05.2024. A charge-sheet was submitted on 18.07.2025. Yet, till date, the trial could not be concluded. In fact, even charges could not be framed. Long dates are being fixed by the learned trial court. On the last few occasions, the principal accused was absent. Yet, no coercive measures were taken by the learned trial court to ensure his attendance on the next date. Long dates are being fixed.

Learned counsel for the State submits that there is a delay in conducting the proceeding before the learned trial court. Too long dates are being fixed, among other things.

It appears that although the investigating agency did their bit in concluding the investigation in time, it is the trial

court where inordinate delay has been occasioned. Very long dates are being fixed.

In view of the above and in the interest of justice, the learned trial court is directed to conclude the proceeding as expeditiously as possible and by taking into consideration the statutory stipulations contained in the said Act and more particularly, to decide on the issue of framing charges at the earliest, preferably on the next date of hearing and positively within three months from the next date of hearing, if the charge is not framed on that date for some reason. For such purpose, the trial court shall take necessary coercive measures to ensure the attendance of the accused.

With these observations, the revisional application is disposed of.

Urgent certified photostat copy of this order, if applied for, be supplied to the parties upon compliance of requisite formalities.

(Jay Sengupta, J.)

