

24.09.2025
Item No.15
Court No.42
ab

**IN THE HIGH COURT AT CALCUTTA.
CRIMINAL MISCELLANEOUS JURISDICTION**

CRM (M) 1702 of 2025

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure, 1973 corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Naihati Police Station Case No. 29 of 2025, dated 19.02.2025 under Sections 10 and 12 of the POCSO Act, now pending before the Learned Special Judge, under POCSO Act, Barrackpore.

-And-

In the matter of : Puskar Dhali

... .. **Petitioner**

Mr. Sarbesh Pal,
Mr. Suman Chatterjee,
Mr. Tushar Das

... .. For the Petitioner

Mr. Bidyut Kumar Roy,
Mr. Rajesh Jana

... ..For the State

Ms. Gita Maity

... for the *de facto* complainant

1. Affidavit of service filed on behalf of the petitioner is taken on record.
2. Learned advocate for the petitioner submits that the matter has been amicably settled by and between the parties and as such, further detention of the petitioner would not be required. He seeks for enlargement of the petitioner on bail.
3. Opposing such prayer for bail, learned advocate for the State submits that the victim boy aged about 11 years implicates this petitioner of penetrative sexual assault. He seeks for dismissal of the bail application.

4. Learned advocate for the *de facto* complainant also concedes to the submissions of amicable settlement of the case as advanced on behalf of the petitioner.
5. Perused the case diary and materials on record.
6. The victim boy aged about 11 years in his statement before the Magistrate implicates this petitioner of penetrative sexual assault. Considering the *prima facie* incriminating materials, the implication of the victim boy as well as the nature and gravity of the offence, this Court is not inclined to grant bail to the petitioner.
7. Accordingly, the bail prayer is rejected.
8. The learned trial court is directed to expedite the trial with fullest extent and conclude the same at an early date without granting any unnecessary adjournment to either of the parties.
9. The prosecution is directed to produce witnesses as per schedule fixed by the trial court for examination of witnesses.
10. The parties are directed to cooperate in the trial for examination of the witnesses.
11. The application for bail being **CRM (M) 1702 of 2025** stands dismissed.

(Bivas Pattanayak, J.)