

Haldibari P.S Case No:262/2023
Reg No:POCSO 17/23
CNR Case No:WBCB09-000082-2023
J.O. Code – WB01362

Present: Smt Peden Dukpa, Principal Magistrate, J.J.B Cooch Behar
Present: Smt. Runa Ganguly, Member-I, J.J.B,Cooch Behar
Present: Sri Kamalesh Chandra Biswas, Member-II, J.J.B,Cooch Behar

Order No: 8

Dated: 01.02.2024

The case record is fixed receiving report from DCPO, Cooch Behar and Preliminary Assessment Hearing.

Both the CCLs are present by filing hazira through their Ld. Advocate.

Members of this Board are also present.

Ld. P.P-in-charge is also present.

No report from D.C.P.O is received today.

Issue strong reminder of order dated 11.12.2023 at once.

D.A to comply.

Now the record is taken up for the purpose.

Ld. Defense Counsel submits before the Board that the CCLs have no active participation in the alleged offense u/s-4/17 of POCSO Act and that the CCLs have been falsely implicated in this case. The Ld. Advocate for the CCLs submitted that both the CCLs are students and prays for passing order so that their career will not be jeopardize. Thus prays for disposing the case by the Board it self.

Ld. APP raised no objection and prays the Board to consider the materials available in the record as well as in the CD before passing necessary order.

Perused the P.E Report of CCL, where we found that he is both mentally and physically sound.

Perused the case record, SIR, SBR, P.A. Report, counselling report.

Perused the SBR and SIR, We found that is no adverse remark against the CCL and no previous history of CCL.

Considering the social antedecent, environmental situation, their studies, emotional attitude and other collateral factors as gathered from the materials available on record and while considering them in the light of the guiding principles of the JJ Act relating to the care and protection of children, this Board has unaminously arrived at the conclusion that the CCL deserves an opportunity to face inquiry before this Board as a child and not as an addult in accordance with the provisions laid down under section 15(2) of JJ Act 2015.

Accordingly the matter is disposed off u/s-15(2) of the Act.

Fix **08.03.24** for receiving report from DCPO and app of CCL and passing necesray order.

Sd/-
(Smt.Peden Dukpa)
Principal Magistrate
Juvenile Justice Board
Cooch Behar

Sd/-
(Smt.Runu Ganguly)
Board Member
Juvenile Justice Board
Cooch Behar

Sd/-
(Shi.Kamalesh Ch. Biswas)
Board Member
Juvenile Justice Board
Cooch Behar

Sd/-
(Smt.Peden Dukpa)
Principal Magistrate
Juvenile Justice Board
Cooch Behar