

**IN THE COURT OF LD. JUDGE SPECIAL CASE (POCSO),
1stCOURT, SERAMPORE, HOOGHLY**

Special POCSO case No.29 of 2019

**Present : Sri G.C. Karmakar,
Addl. District & Sessions Judge, 1st Court,
Serampore.**

**Uttarpara P.S. case No. 582 of 2019 dated 12.11.2019
u/S.376 I.P.C read with Section 6 of P.O.C.SO Act,
2012.**

Order no. 1

dated 13.11.2019

Received formal FIR being Uttarpara P.S Case No.582/2019 dt.12.11.2019 u/S 376 I.P.C read with Section 6 POCSO Act and written complaint lodged by Rama Ghosh.

Registered the same as Special Case No.29/2019.

Accused person namely, Rajesh Sk @ Chand Mohammad is brought under arrest along with accused challan, memo of arrest, forwarding report, seizure list and medical examination report.

Accused person is taken into custody.

None moves for the accused person.

I.O of Uttarpara P.S namely, L.S.I. Kasturi Gupta has filed separate petitions for Medico-legal Examination of the accused person and D.N.A. test of the new born baby of V.G for determination of parentage of the new born baby.

Perused the prayers of I.O which are to facilitate the investigation.

Thus, prayers of I.O for Medico-legal Examination of accused person and D.N.A. test of the new born baby of V.G are allowed.

I.O is directed to take necessary steps for the same in accordance with law.

Superintendent, Serampore Walsh Hospital is directed for taking necessary step for Medico-legal Examination of accused person namely, Rajesh Sk @ Chand Mohammad and D.N.A. test/matching of the new born baby of V.G with the accused person for determination of parentage of the new born baby at the earliest.

Let a copy of the order be handed over to the I.O and another copy be sent to Superintendent, Walsh Hospital, Serampore for information and convenience of compliance of the order.

Remanded the accused person to J.C.

Fix on 27.11.2019 for production of the accused and report of I.O in final form.

Dictated & corrected by me

Judge Spl. Court

Judge Special Court
Serampore

Order no. 3

dated 27.11.2019

Accused person namely, Rajesh Sk @ Chand Mohammad is produced from J.C.

None moves for the accused person.

Investigation of the case has not yet been completed.

Fix on 10.12.2019 for production of the accused and report of I.O in final form.

Remanded the accused person to J.C.

Dictated & corrected by me

Judge Spl. Court

Judge Special Court
Serampore

Order no. 5

dated 11.12.2019

Today I.O has submitted one prayer for recording statement of victim girl u/S. 164 Cr.P.C.

The prayer of I.O is to facilitate investigation.

Ld. J.M. 3rd Court, Serampore being a lady Magistrate to record the statement of victim girl.

Let the case record be produced before Ld. J.M. 3rd Court, Serampore for recording statement u/S. 164 Cr.P.C.

I.O to produce the victim girl before the Ld. Magistrate.

To date.

Dictated & corrected by me

Judge Spl. Court

Judge Special Court
Serampore

Special(Pocso) 29 of 2019

Present: Sri G.C. Karmakar,
Addl. District & Sessions Judge,
1st Court, Serampore.

Order no. 6

dated 13.12.2019

Today I.O has submitted one prayer for permission for collection of expert opinion relating to exhibit submitted to the CFSL, Kolkata.

I.O to act as per law and she is at liberty to correct the CFSL report.

Let a copy of the order be handed over the I.O for convenience of compliance of the order.

To date.

Dictated & corrected by me

Judge Spl. Court

Judge Special Court
Serampore

Order no. 8

dated 24.12.2019

Accused person namely, Rajesh Sk. @ Chand Mohammad is produced from J/C.

Today Ld. Advocate for the accused person filed one bail petition and moved the same with the submission that accused person may be enlarged on bail on any terms and condition.

Ld. Special PP is present by filing hazira who opposed the prayer for bail.

In the instant case, accused person is the step father of the victim girl who gave birth of a baby.

Considering the gravity of the offence, I am not inclined to enlarge the accused person on bail.

Hence, the prayer for bail of the accused person stands rejected.

Fix on 06.01.2020 for production and report of I.O in final form.

Remanded the accused person to J/C.

Dictated & corrected by me

Judge Spl. Court

Judge Special Court
Serampore

Order no.10

dated 06.01.2020 (Later)

Accused person namely, Rajesh Sk. @ Chand Mohammad is produced from J/C.

Today Ld. Advocate for the accused person filed one bail petition and moved the same with the submission that accused person may be enlarged on bail on any terms and condition and in the event of bail accused person will not abscond.

Ld. Special PP is present by filing hazira who opposed the prayer for bail with the submission that accused person being the step father subjected the eldest daughter of his wife with aggravated penetrative sexual assault resulting to which she gave birth of a female baby; charge sheet has already been submitted and the prayer for bail should be rejected.

Considering the gravity of the offence, I am not inclined to enlarge the accused person on bail.

Hence, the prayer for bail of the accused person stands rejected.

Fix on 20.01.2020 for production and consideration of charge.

Remanded the accused person to J/C.

Dictated & corrected by me

Judge Spl. Court

Judge Special Court
Serampore

ORDER-SHEET FOR SESSIONS RECORD

IN THE COURT OF ADDITIONAL SESSIONS JUDGE, SPECIAL COURT, SERAMPORE

Special Case No **29** of **2019**

Committing Officer

No. 1

No. 2

CHARGES u/S 4, 4/17 of Pocso Act & u/s 376/306/506 of IPC.

The charge is read over and explained to the accused who pleaded not guilty by saying “Nirdosh” and claimed to be tried.

No. 1 Rajesh Sk. @ Chand Mohammad,

No. 2

No. 3

The following Jurors/Assessors were chosen –

Foreman

Jurors/Assessors.

For the State --- Sri Joydeep Mukherjee, Ld. Special P.P.

For the Accused – Sri Mohanlal Naru, Ld. Advocate.

Enter below all proceedings and orders.

Special Case No. 29/2019

Present – Sri G.C. Karmakar
Judge, Special Court,
Serampore

State of W.B.....Vs.... Rajesh Sk. @ Chand MohammadAccused person.

Order No.11 dt. 20.01.2020

Accused person namely, Rajesh Sk. @ Chand Mohammad is produced from J.C.

Ld. Special PP is present by filing hazira.

This day is fixed for consideration of charge.

The content of the charge for the alleged offence u/S 6 POCSO Act read with Section 376 IPC is read over and explained to the accused person in Bengali to which he pleads not guilty by saying 'Nirdosh' and claimed to be tried.

Charge framed on separate sheet be kept with the case record.

Today Ld. Advocate for the accused person filed one bail petition and moved the same with the submission that accused person may be enlarged on bail on any terms and condition.

Ld. Special P.P opposes the prayer for bail.

In the instant case victim girl has already given birth of a baby and considering the gravity of the offence I am not inclined to enlarge the accused person on bail.

Hence, prayer for bail of the accused person stands rejected.

Fix on 02.03.2020 for evidence of victim girl.

Issue summons on the victim girl.

Accused person is remanded to J/C.

To date for for production.

I.O is directed to collect D.N.A test report by the next date.

Let a copy of the order be sent to the I.O for strict compliance.

Dictated & Corrected by me

Judge, Special Court,
Serampore.

Judge, Special Court,
Serampore

Special Case No. 29/2019
Present – Sri G.C. Karmakar
Judge, Special Court,
Serampore

Order No.12 dt. 02.03.2020

Accused person namely, Rajesh Sk. @ Chand Mohammad is produced from J.C.

Ld. Special PP is present by filing hazira.

This day is fixed for evidence of victim girl who has neither turned up nor any S.R has been received.

I.O has also not produced the D.N.A test report and no intimation received from I.O.

Thus, the case is adjourned.

Fix on 27.05.2020 for evidence of victim girl.

Issue summons on the victim girl.

Accused person is remanded to J/C.

To date for for production.

I.O is directed to collect D.N.A test report by the next date.

Let a copy of the order be sent to the I.O for strict compliance.

Dictated & Corrected by me

Judge, Special Court,
Serampore.

Judge, Special Court,
Serampore