

SESSIONS (POCSO) CASE NO.-169/2024
CIS Registration No.-169/2024
CNR- WBJP01-004379-2024
S.T No.-05 (01) 2026

CHARGE WITH ONE HEAD
[NO. XXVIII (II) Schedule V, Act V 1898]
(Sections 221, 222, 223 Code Criminal Procedure)

1. Name & office of I⁽¹⁾ **Smt. Indrila Mukhopadhyay Mitra,**
Magistrate & c. **JUDGE, Special Court, 2nd Court, Jalpaiguri.**

Name of accused hereby charge **The sole accused**
Samar @ Somor Sarkar

First ____That you on 10.10.2024 at about 01.00 pm near Maynaguri Children Park, PS-
Maynaguri, Dist- Jalpaiguri committed sexual assault upon the victim girl under the age of 18
years by forcibly pulling her hand and contacting with her with sexual intent

2. My cognizance or the and thereby committed an offence punishable
cognizance of the **Section 8 of the POCSO Act** and within³
court of Session my cognizance.

3. In case tried by And I hereby direct that you be tried⁴ by the
Magistrate omit by the said Court on the said charge.
said Court.

Dated this 03rd day of January, 2026.

The particulars of charge have been read over and explained to the accused person
in Bengali to which he pleaded not guilty by saying “Ami Nirdosh” and claimed to be
tried.

Signature of Judge

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Order No.-01

Dated 03/01/2026

The sole accused Samar @ Somor Sarkar on CB is present by filing hazira.

Today is fixed for consideration of charge.

Ld. Spl. PP Santanu Adhikari is present by filing hazira.

Ld. Defence lawyer is also present.

Heard Ld. Spl. PP Santanu Adhikari and Ld. Defence Lawyer.

The CD is produced by Ld. Spl PP.

Perused the C.D. and the materials on record very carefully. After hearing the parties and after considering the CD and other materials I am of the opinion that the offence is triable by this Special Court exclusively. Accordingly, the charge is framed **u/s. 8 of the POCSO Act** as per separate sheet and kept with the record. The particulars of charge have been read over and explained to the accused in Bengali to which he pleaded not guilty by saying "Ami Nirdosh" and claimed to be tried.

Fixing **11.02.2026** for evidence of the victim girl/CSW 2.

Issue summons accordingly.

Ld. Spl PP files a petition praying to accord adequate interim compensation to the victim girl which will be paid from the Victim Compensation Fund.

Heard both sides. Perused the prayer for interim compensation.

It appears from the materials on record that the minor victim girl has allegedly been subjected to child sexual assault. Considering the facts and circumstances of this case and also taking into account her age and the future need of the victim girl, it is felt that she needs some interim monetary compensation for her rehabilitation, education and for giving her an opportunity to come back in the mainstream of the society.

In view of order passed by the Hon'ble Supreme Court of India in **Nipun Saxena Vs Union of India** and as per **the direction of the Hon'ble High Court, Calcutta, passed in Bijoy @ Guddu Das Vs The State of West Bengal** and also in view of provision contained under **Clause 9 & 12 of NALSA's Compensation Scheme for Women Victims/ Survivors of Sexual Assault/ Other Crimes, 2018**, it is hereby directed that an amount of **Rs.25,000/- (Rupees Twenty Five Thousand only)** shall be paid to the victim girl from the Women Victim Compensation Fund/ Victim Compensation Fund of the Government of West Bengal as interim relief for her rehabilitation and also for recovery from mental trauma.

The Secretary, District Legal Services Authority, Jalpaiguri shall take necessary steps for payment of interim compensation to the victim girl from the Women Victim Compensation Fund/ Victim Compensation Fund of the Government of West Bengal at the earliest.

Let a copy of this order be sent to the Secretary, District Legal Services Authority, Jalpaiguri by name in a closed envelope with name and address of the victim girl for payment of interim compensation and necessary compliance.

Let all the documents be kept in closed envelope as the identities of the victim have been disclosed therein.

To date (**11.02.2026**) for appearance.

CD be returned to Ld. Spl PP.

D/C by me

sd/-

Judge, Special Court,
(Under POCSO Act)
2ndCourt, Jalpaiguri

sd/-

Judge, Special Court,
(Under POCSO Act)
2ndCourt, Jalpaiguri

J.O Code- WB00656

Memo no.

Date:-

Copy of the order be sent for information to:

The Secretary, District Legal Services Authority, Jalpaiguri.

Judge, Special Court,
(Under POCSO Act)
2ndCourt, Jalpaiguri

J.O Code- WB00656

Memo no.

Date:-

Copy of the order be sent for information to:

The Secretary, District Legal Services Authority, Jalpaiguri.

Judge, Special Court,
(Under POCSO Act)
2nd Court, Jalpaiguri

J.O Code- WB00656