

SC (Spl) Case No.2 of 2021.
(ST No.143 of 2022)

Or No.84,
6.05.2026.

Both the accused persons, namely, 1) Soumili Das and 2) Sisir Kumar Mahato have been produced from JC. They are taken into custody and remanded further to JC till next date.

Ld. Spl. PP as well as Ld. Sr. Defence Counsel are present.

Today is fixed for hearing argument of this case.

Ld. Spl. PP verbally submits his inability to argue the case today since not prepared.

Upon scrutiny of the record it appears that one of the accused persons namely, Soumili Das was a government employee at the relevant time and as such sanction from the authority was required for her prosecution. It is also available on record that the required sanction of the authority for prosecution was there before commencement of trial, however the said sanction of the authority has not been placed before the court during trial on evidence and it is trite that without such sanction of the authority in respect of accused Soumili Das would be futile as per requirement of law and accordingly it would be of legal requirement to bring such sanction of the authority in respect of accused Soumili Das as evidence and as such, the court is inclined to proceed with the trial of the case at this stage for evidence for the purpose of considering the said sanction of the authority.

In that view of the matter, the prosecution is directed to take proper step to produce the sanction of the authority and to prove the same by calling the sanctioning authority or any competent staff thereof from the office of the sanctioning authority positively on the next date fixed.

The court is not unmindful about the protracted trial and that considerable time has elapsed and that both the accused persons are still in custody for a very long time in view of the order of the Hon'ble Court and with a view to cut short any further delay, this court is inclined to appraise the District Magistrate, Purulia to produce or cause production of Memo No.3100-WCD-21016/1/2021-SEC(WCDSW), dt.14.7.2021 of Deputy Secretary, Govt. of West Bengal, duly forwarded by District Magistrate, Purulia to the Superintendent of Police, Purulia, Vide Memo No.182/SW/PRL, dt.5.8.2021 positively on the next date fixed for

trial. Let photocopy of the sanction letter of Deputy Secretary, Govt. of West Bengal, dt.14.7.2021 and the forwarding Memo dt.5.8.2021 be sent to District Magistrate, Purulia along with this order for ready reference.

To 5.6.2026 for evidence as above.

Prosecution is further directed to do the needful positively.

To date for production.

Inform all concerned accordingly.

Dictated & Corrected by me

**Addl. Sessions Judge
2nd Court, Purulia cum
Spl. Judge under POCSO Act.
(J.O Code No.WB00729)**

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