

In the Court of Judge, Special Court & 2nd Addl. Sessions Judge, Alipore
Special Case No. 253/2025
CNR:WBSP01- 006571-2025
Present:Rimpa Roy,Judge(JOcode:WB00822),
Special Court & 2nd A.S.J.,
Alipore, South 24-Parganas

Order No.01
Dt. 13.05.2025

Received original FIR, formal FIR and one intimation letter of CSS hospital in a sealed envelope along with redacted copies of the same and other documents from the court of the Ld. C.J.M, Alipore, South 24 Parganas.

Register the same as Special Case No 253 of 2025 under section 376(2)(n) IPC, section 6 of POCSO Act and section 9 of PCM Act.

The I.O of this case has made prayers for recording statements of the victim girl and Dr. Usri Bhattacharjee under section 183 B.N.S.S and medico-legal examination of the victim girl for the purpose of investigation.

Heard the I.O and learned Special P.P.

Prayers of the I.O are considered and allowed for interest of investigation.

Learned C.J.M., Alipore is requested to record the statements of **the victim girl and Dr. Usri Bhattacharjee of CSS Hospital** under section 183 B.N.S.S either personally or by deputing any other Magistrate within 48 hours following the procedure as laid down in section 25 and 26 of the POCSO Act, 2012 and to forward the same to this Court without undue delay. In view of the direction of the Hon'ble High Court, Calcutta vide Judgment dated 16.12.2021 delivered by the Hon'ble Justice Bibek Chawdhuri in **CRA 517 of 2017** (Prabir Bhuian Alias Prabir Bhuinyan Vs The State of West Bengal) the learned Magistrate is also requested to take care and to take necessary steps so that the identity of the victim girl is not disclosed during recording of her statement .

The I.O. of this case is directed to take further instruction from the learned Magistrate regarding the production of the victim girl and Dr. Usri Bhattacharjee of CSS Hospital for recording their statements.

Supply copies of statements to the I.O as and when these are received.

Inform the learned Chief Judicial Magistrate by sending a copy of this order along with photocopy of F.I.R and formal F.I.R.

The Professor & Head of the Department, Forensic Science and State Medicine, Medical College and Hospital, Kolkata is requested to make necessary arrangement for medico-legal examination of the victim girl by a woman doctor. The examination shall be done following the procedure laid down by section 164A of the Criminal Procedure Code, 1973 (2 of 1974) and section 27 of the POCSO Act, 2012. The examination of the victim girl should be done in presence of parents of the child or any other person in whom the child reposes trust or confidence. If for any reason, the parents or the person in whom the child has confidence cannot be present in that event, medical examination shall be conducted in presence of a woman doctor nominated by the Head of the Medical Institution.

I.O is directed to produce the victim girl to the concerned hospital on the scheduled date.

To date 08.12.2025 for I.O's report and awaiting statement of the victim girl.

sd/-
Judge, Special Court &
2nd A.S.J., Alipore.

