

D/L – 21
15/07/2026
Court No.29
S.Kundu

CRR 2815 of 2026
With
CRAN 1 of 2026

XXX
Vs.
State of West Bengal & Anr.

Mr. Sourav Mondal
Mr. Rony Mondal
Mr. Debarghyo Sil

...for the petitioner.

Mr. Arijit Bhuiya
Mr. Archan Dutta

...for the opposite party no. 2.

1. Leave is granted to the petitioner to correct the date of Police Station Case.
2. The petitioner's case is that the marriage between the petitioner and the victim was solemnized at a temple and they presently residing together as husband and wife. The petitioner has never been married before and the age of the alleged victim is sixteen years and she has given birth to a baby girl.
3. It is recorded that on 29.01.2026, the alleged victim was admitted to a hospital and the concerned Medical Officer has lodged the FIR against the petitioner/accused.
4. Being aggrieved by the aforesaid proceeding, the learned counsel for the petitioner submits that she belongs to a socio economic backward class holding BPL Card and sole earner of the family and his family

members depending on his income. The marriage between the parties, however, had taken place when the victim was aged about sixteen years but that can hardly give rise to an offence under the Protection of Children from Sexual Offences Act.

5. However, during the pendency of the instant proceeding, the alleged victim has decided not to support the imputations levelled against her husband/petitioner. Therefore, he prayed for quashing of the proceeding.
6. Having heard the learned counsel for the petitioner, the application is admitted.
7. The petitioner is directed to serve a copy of the application upon the State through the learned Public Prosecutor, High Court at Calcutta and upon the opposite party no. 2 through speed post intimating the next date of hearing and file affidavit of service to that effect on the returnable date.
8. Let the matter be listed in the monthly list of September, 2026.
9. The learned counsel for the petitioner also prays for interim relief.
10. Having heard the learned counsel for the petitioner and also considering the submission made on behalf of the petitioner that the parties presently residing together as husband and wife and therefore there is hardly any chance of his abscondence, let the

investigation continue but the Investigating Agency shall not take any coercive step against the petitioner for a period of twelve weeks from date or until further order, whichever is earlier.

11. All parties shall act on the basis of the server copy of this order duly downloaded from the official website of this Court.

(Dr. Ajoy Kumar Mukherjee, J.)