

03.08.2026
Item no. 1/2.
VC Room
AB/(Tanmoy)

**In the High Court at Calcutta
Circuit Bench at Port Blair**

(Via Video Conference)

(From Principal Bench)

CRA (DB) 6 of 2024

**The State
Vs
Shri Mukesh Kumar Yadav**

With

CRA (DB) 4 of 2024

**Ms. X (victim lady)
Vs
The State (UT of A&N Islands)**

Mr. Md. Tabraizfor the Convict.

Mr. Sumit Kr. Karmakarfor the State.

Mr. Deep Chaim Kabir, Sr. Adv,
Mr. S. Ajith Prasadfor the Victim/
De facto complainant.

Dictated by Apurba Sinha Ray, J.

1. As per our direction, the convict Mukesh Kumar Yadav is produced in Court Remote Point at Port Blair, Andaman and Nicobar Islands. He is identified by his learned Counsel Mr. Md. Tabraiz. The order of conviction is communicated to the convict and quantum of sentence as prescribed in Sections 376 and 312 of the Indian Penal Code, 1860, is also communicated to the convict.

He is taken into custody. The Sessions GRO of District and Sessions Judge, Port Blair is present and the convict's custody is made over to the Sessions GRO. The Sessions GRO shall place the convict along with this order before the learned Sessions Judge, Andaman & Nicobar Islands at Port Blair and on receipt of such order, the learned Sessions Judge, Andaman & Nicobar Islands at Port Blair shall issue intermediate custody warrant asking the Superintendent, Central Correctional Home at Prothrapur to produce the convict on August 6, 2026, at 1 p.m. in the same Court Remote Point with escort.

2. The convict has submitted that he has got married and he has a five-year old daughter. He has further submitted that the victim has also got married and she has been living in her matrimonial home. He has prayed for a lenient term of sentence since according to Mr. Md. Tabraiz, learned senior counsel appearing for the convict, the alleged offence was committed in the year 2013 and at that time the law of the land permitted that in appropriate cases the Court can give lesser punishment after recording the reasons therefor.
3. Mr. Kabir, learned Senior Advocate appearing for the *de facto* complainant, does not dispute the existence of such provision of law at the relevant point of time.

4. Mr. Kabir, however, submitted that considering the degree of trauma that the victim lady went through, maximum punishment, as permissible under the law, should be imposed on the convict.
5. Learned Advocate for the State adopts the argument advanced by Mr. Kabir, learned Senior Counsel appearing for the *de facto* complainant/victim.
6. Hearing on the point of sentencing is concluded.
7. List these matters on August 6, 2026, at 1 p.m. only for the purpose of the Court pronouncing its verdict on the point of sentencing.
8. Learned Sessions Judge, Andaman & Nicobar Islands at Port Blair shall issue the relevant custody warrant after opening a skeleton file in that regard. The Sessions Judge, Andaman & Nicobar Islands at Port Blair be informed at once. The Sessions GRO shall keep the victim in the Sessions Judge's lock up for the time being.
9. The Learned Registrar, Circuit Bench of Calcutta High Court at Port Blair, is to do the needful.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)