

Sedition charges dropped against Mahato

December 5, 2009

JHARGRAM: The Jhargram court has discharged People's Committee against Police Atrocities (PCPA) leader Chhatradhar Mahato of charges of sedition and criminal conspiracy against the state in connection with an incident at Kantapahari in West Midnapore where Maoists had held an open gathering. The court also granted bail to Mahato in another case the Lalgarh police had lodged against him.

The PCPA leader has so far got bail in 13 of the 26 cases pending against him. These are in addition to the case in which he has been absolved of charges levelled by the police.

The ACJM court on Thursday refused to take cognizance of the chargesheet submitted by the police in the case pertaining to sedition on the grounds that the prosecutors booked Chhatradhar and 13 others without taking the mandatory sanction from the state government, the Centre or even the district magistrate.

Chhatradhar's defence counsel Kaushik Sinha argued that the chargesheet submitted by the police five months after the case was started on June 1, 2009, but did not have the sanction from the authorities concerned. Citing Section 196(1) of the Criminal Procedure Code, Sinha held that such sanction was mandatory before the court took it up for hearing. This section of the CrPC provides that no court will take cognizance of an offence as grave as sedition without prior sanction of the Centre or the state government. The court discharged Chhatradhar after the police failed to provide the necessary approval from the authorities along with the chargesheet.

However, former CPI (Maoist) spokesperson Gour Chakrabarty, accused of sedition in the same case, was not granted bail. For, Chakrabarty did not take the legal help that Chhatradhar and his fellowmen had opted for.

<http://timesofindia.indiatimes.com/city/kolkata-/Sedition-charges-dropped-against-Mahato/articleshow/5302310.cms>