

In the Court of Judicial Magistrate, 4th Court, Calcutta
Present. Smt. Yozna Lama, J.O. Code No. WB01349

CS 98474/2022

Order date 15.05.2026

Today is fixed for hearing of petition u/s 205 and 305 Cr.PC.

The complainant is absent by petition.

Ld. Advocate for the accused person nos.2, 3, 4 and 5 had filed petitions u/s 205 of Cr.P.C.

Now the record is taken up for hearing of the petitions u/s 205 Cr.P.C.

Ld. Advocate for the accused persons no. 2, 3, 4 and 5 submits that the accused person no.2, 3,4 and 5 namely Pratap Kumar Chakravarty, Indira Biswas, Sheo Kishan Damani and Dipak Narayan Basu respectively, are connected with various social and philanthropic Organizations and mostly stay out of Kolkata and as such it is not possible for them to attend before this court on each and every date of hearing. Therefore, it is not possible for the said accused persons to regularly appear before this court. Hence, prays for dispensing with the personal attendance of the said accused persons before this court.

Ld. Advocate for the complainant raises no objection.

Hearing Ld. Advocate for both the parties, on perusal of the petition and the entire case record, I am of the opinion that considering that the accused persons prayers, the personal attendance of the accused persons can be dispensed with. Further, I am of the opinion that no prejudice will be caused to the administration of justice.

Hence, it is,

Ordered,

that the petition u/s 205 Cr.P.C is hereby considered and allowed without costs.

The accused no. 2, 3,4 and 5 namely Pratap Kumar Chakravarty, Indira Biswas, Sheo Kishan Damani and Dipak Narayan Basu respectively are hereby exempted from personal appearance before this court subject to the condition that they shall appear at the time of plea, examination u/s 313 Cr.P.C, at the time of delivery of judgement and any time as the court deems necessary.

Ld. Advocate is hereby directed to give an undertaking ensuring that the accused person no. 2 , 3,4 and 5 shall appear before this court at the time of plea, examination u/s 313 Cr.P.C, at the time of delivery of judgement and any time as the court deems necessary.

Recall W/A of accused no.2, 3, 4 and 5.

D/C by me,

J.M., 4th Court, Calcutta

Later,

Ld. Advocate on behalf of accused no.1 files a petition u/s 305 of Cr.PC along with the copy of power of attorney.

The petition u/s 305 of Cr.P.C is taken up for hearing.

No objection is being raised by the other side.

Heard. Considered. Perused.

Hence, the petition u/s. 305 of Cr.P.C. is hereby allowed on contest and **Partha Dey** is hereby permitted to represent accused no.1 Company ,henceforth.

The petition u/s 305 Cr.PC is thus disposed of.

To 23.09.2026 for plea.

D/C by me,

J.M., 4th Court, Calcutta