

M.L. CASE NO 01 OF 2020
CNR-WBCS01-000079-2020
Present: Sri Soumendra Nath Das
Chief Judge, City Sessions Court, Calcutta
J.O. CODE NO.WB01132

Order no. 28 dated 17.08.2023

To-day is fixed for appearance of the Accused person no.4 (M/s Shakambhari Ispat & Power Limited (SIPL) i.d. necessary order and further order.

Ld. Advocate for the complainant/ED is present by filing hazira.

Mr. Shymal Kumar Ghosh, Ld. Advocate who is representing the accused no.01, Shri Bipin Kumar Vohra and accused no.02, Shri Arjun Kumar Santhalia u/s 205 of Cr. P.C. is present in Court by filing hazira.

No step is taken on behalf of the Accused person no.4 (M/s Shakambhari Ispat & Power Limited (SIPL).

None turns up on behalf of the accused person no.4 (M/s Shakambhari Ispat & Power Limited (SIPL).

It is now 12:20 p.m.

A petition has been filed on behalf of the Complainant/ED stating that on 12.06.2023 the summon was received by the Accused/Company no.4 (M/s Shakambhari Ispat & Power Limited (SIPL), but Neither the Director, nor any representative of the Accused/company no.4 turned up, nor any step was taken on behalf of the Accused/company no.4.

Ld. Advocate for the Complainant/ED further submits that on 12.07.2023 no step was taken on behalf of the Accused/company no.4 (M/s Shakambhari Ispat & Power Limited (SIPL) and this Court adjourned the case a as last chance i.d. necessary order and it is further contended that Sri Deepak Kumar Agarwal is the director of said accused/company and he is responsible for day to day business of the Accused/company no.4 and therefore it is prayed for issuance of Warrant of Arrest against Sri Deepak Kumar Agarwal, Director of the accused/Company no.4 (M/s Shakambhari Ispat & Power Limited (SIPL) for non compliance of the order of this Court on the ground stated therein.

Heard Ld. Advocate for the Complainant/ED.

Perused the case record wherefrom it reveals that summons was duly served upon the accused/company no.4 (M/s Shakambhari Ispat & Power Limited (SIPL) on 10.06.2023, but the accused person no.4 (M/s Shakambhari Ispat & Power Limited (SIPL) did not bother to take any steps on 12.06.2023 and thereafter on 12.07.2023 in spite of order of this Court and as of now no step is taken on behalf of the accused person no.4 (M/s Shakambhari Ispat & Power Limited (SIPL).

In view of such fact, this Court is of considered view that the accused person no.4 (M/s Shakambhari Ispat & Power Limited (SIPL) is deliberately evading the Court proceedings in spite of order of this Court.

Continued.....

Continued order no.28 dated 17.08.2023

Accordingly, the petition of the Complainant/ED for issuance of Warrant of Arrest against Sri Deepak Kumar Agarwal, Director of the accused/Company no.4(M/s Shakambhari Ispat & Power Limited (SIPL) is considered and allowed on prayer of the Complainant/ED.

Issue Warrant of Arrest against Sri Deepak Kumar Agarwal, Director of the accused/Company no.4(M/s Shakambhari Ispat & Power Limited (SIPL).Officer of concerned P.S. is directed to execute the warrant of arrest at once.

Complainant/ED is directed to put requisites at once.

Accused no.01, Shri Bipin Kumar Vohra and accused no.02, Shri Arjun Kumar Santhalia are directed to appear before this court on the next date positively i.d necessary order will be passed.

To **15.09.2023** for appearance of the Accused persons and E/R of W/A against Sri Deepak Kumar Agarwal, Director of the accused/Company no.4/(M/s Shakambhari Ispat & Power Limited (SIPL) and further order.

Let a copy of this order be sent to the Ld. Advocate for the Complainant/ED for information and necessary action.

D/C by me.

Sd./-
Chief Judge
City Sessions Court, Calcutta

Chief Judge
City Sessions Court, Calcutta