

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. 39 dated 08.07.2024

To-day is fixed for appearance of all the accused persons except representative of accused/Company no.4/ (M/s Shakambhari Ispat & Power Limited) positively and inspection of the relied upon documents as a last chance i.d. necessary order.

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

Mr. Shymal Kumar Ghosh, Ld. Counsel 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.

The accused no.01, Shri Bipin Kumar Vohra and the accused no.02, Shri Arjun Kumar Santhalia are also present in Court in persons by filing hazira.

Hazira has been filed on behalf of the accused/Company no.4/(M/s Shakambhari Ispat & Power Limited (SIPL) through Ld. Counsel.

Ld. Counsel for the accused/Company no.4/(M/s Shakambhari Ispat & Power Limited (SIPL) submits that the presence of the accused/Company no.4/(M/s Shakambhari Ispat & Power Limited (SIPL) has been dispensed with in view of the order dated 12.04.2024 passed by the Hon'ble High Court at Calcutta in connection with C.R.R. 4326 of 2023.

Perused the copy of order dated 05.02.2024 passed in CRR no.4326 of 2023 wherein the Hon'ble High Court at Calcutta has been pleased to observe as follows:

“Mr. Trivedi, learned DSGI appearing for the Enforcement Directorate submits that the next date is fixed on 19th February, 2024 for supply of copies.

Let copies be supplied to rest of all the accused persons.

However, so far as the present petitioner before this Court, i.e. Shakambhari Ispal & Power Limited is concerned, its presence on the date may be dispensed with. Till 15th April, 2024 t he learned special court will not insist on the present petitioner being represented through any individual and will not pass any harsher process of law. If the learned special court is of the opinion that the trial in respect of rest of the accused persons are to be proceeded with, in that case, the learned special court would be at liberty to proceed with the trial of the case.

Enforcement Directorate would be at liberty to file their affidavit-in-opposition by 8th March, 2024.

Affidavit-in-reply, if any, be filed by 8th April, 2024.

Matter be listed on 11th April, 2024 under the same heading.”

On perusal of the case record it also transpires that vide order dated 12.04.2024 passed in CRR no.4326 of 2023, the Hon'ble High Court at Calcutta has been pleased to observe as follows:

“Let the affidavit in opposition be filed by 17th of June, 2024. Affidavit in reply, if any, be filed by 5th of July, 2024.

Let the matter be listed under the same heading on 9th of July, 2024.

Interim order passed on 05.02.2024 would continue till 19th of July,2024.”

Ld. Counsel for the complainant/ED prays for fixing a date for consideration of charge.

Heard both sides.

Perused the case record.

On submission of both sides fix **21.08.2024** for appearance of all the accused persons except representative of accused/Company no.4/ (M/s Shakambhari Ispat & Power Limited) positively and consideration of charge.

Inspection of the relied upon documents, if any, in the meantime.

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

D/C by me.

Sd./-
Chief Judge
City Sessions Court, Calcutta

Chief Judge
City Sessions Court, Calcutta