

M.L. CASE NO 03 OF 2025
CNR-WBCS01-000226-2025
Present: Sri Sukumar Ray
Chief Judge, City Sessions Court, Calcutta
J.O. CODE NO.WB00590.

Order no.18 dated 30.07.2025

Today is fixed for production, appearance of the accused persons, hearing on the point of cognizance and also hearing of the applications dated 25.06.2025 and 08.07.2025 filed by the accused persons namely Yogesh Dua, Raj Rathi and Chirag Kapoor @ Chintak Raj and submission of comprehensive medical report of accused Yogesh Due from the Superintendent, Presidency Correctional Home.

Accused person namely Yogesh Dua is produced before this Court through virtual mode.

One non-production report has been received from the Superintendent, Presidency Correctional Home vide No 8381/AB dated 29.07.2025 in respect of Chirag Kapoor @ Chintak Raj as he has been admitted in BIN Hospital, Calcutta.

The accused persons namely Raj Rathi, Abhishek Sharma, Madhu Das, Shankar Das, Suvajit Das, Kushal Dutta, Laltu Halder, Niladri Mondal and Uma Burney are present in Court by filing haziras.

Ld. Special Public Prosecutor for the Enforcement Directorate is present.

Ld. Advocates for the accused persons are also present.

Two Medical reports in respect of Chirag Kapoor @ Chintak Raj has been received from the Director, IPGME&R, Kolkata.

Perused the same and let those be kept with the record.

Medical report in respect of accused Yogesh Dua has been received from the Medical Officer, Presidency Correctional Home.

Perused the same and let it be kept with the record.

Ld. Advocates for the accused persons file petitions praying for adjournment.

Heard both sides.

In view of submissions of both sides, fixing **12.08.2025** for hearing on the point of cognizance and hearing of the petitions dated 08.07.2025 filed on behalf of the accused persons namely Yogesh Dua, Raj Rathi and Chirag Kapoor @ Chintak Raj.

One application was filed on behalf of accused Yogesh Dua for supplying of complete set of the prosecution complaint along with all annexures thereto.

Heard. Considered.

Having regard to the purpose for which the First Proviso to Sub-Section (1) of section 223 of the Bharatiya Nagarik Suraksha Sanhita, 2023 has been enacted, I am of the view that the petitioner is not entitled to get the entire set of annexures or documents relied upon by the prosecution at this stage.

Accordingly, the petition dated 25.06.2025 is thus, disposed of in the **negative**.

One application is filed on behalf of accused Chirag Kapoor @ Chintak Raj with a prayer to call for a report from the IPGME&R, Kolkata, BIN hospital, Calcutta and Superintendent, Presidency Correctional Home.

It appears from the record that Prof. (Dr.) Manimoy Bandyopadhyay, Director, Institute of Post Graduate Medical Education and Research, S.S.K.M. Hospital, 244, A.J.C. Bose Road, Kolkata-700 020 has already been directed to send weekly report to this Court till the health condition of accused Chirag Kapoor @ Chintak Raj improves.

However, Prof. (Dr.) Manimoy Bandyopadhyay, Director, Institute of Post Graduate Medical Education and Research, S.S.K.M. Hospital, 244, A.J.C. Bose Road, Kolkata-700 020 is directed to submit a report to this Court regarding the health condition of accused Chirag Kapoor @ Chintak Raj by 04.08.2025.

In view of the above, the petition with a prayer to call for a report from the IPGME&R, Kolkata, BIN hospital, Calcutta and Superintendent, Presidency Correctional Home is thus disposed of.

One application is filed on behalf of the accused Yogesh Dua with a prayer to call for a medical report regarding the progress medical treatment of the applicant.

Heard. Considered. The prayer is allowed for the ends of justice.

Accordingly, the Superintendent, Presidency Correctional Home is directed to submit a comprehensive medical report regarding the health condition of accused Yogesh Dua by 04.08.2025 positively.

Fixing **04.08.2025** for submission of comprehensive medical report regarding the health condition of accused Yogesh Dua by the Superintendent, Presidency Correctional Home and submission report regarding the health condition of accused Chirag Kapoor @ Chintak Raj by the Prof. (Dr.) Manimoy Bandyopadhyay, Director, Institute of Post Graduate Medical Education and Research, S.S.K.M. Hospital.

Let a copy of this order be sent to the Prof. (Dr.) Manimoy Bandyopadhyay, Director, Institute of Post Graduate Medical Education and Research, S.S.K.M. Hospital, 244, A.J.C. Bose Road, Kolkata-700020 for information and compliance.

Let a copy of this order be sent to the Superintendent Presidency Correctional Home for information and compliance.

Let a copy of this order be sent to the Complainant/Enforcement Directorate through Ld. Special P.P. for information and necessary action.

D/C by me
Sd/-
Chief Judge
City Sessions Court, Calcutta

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Chief Judge
City Sessions Court, Calcutta