

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

Order No. 22 dated 20.08.2025

1. Today is fixed for hearing of the bail petition dated 04.08.2025 filed by the accused person Chirag Kapoor @ Chintak Raj along with written objection filed by the Prosecution/Enforcement Directorate.
2. Today is also fixed for hearing of the petition dated 14.08.2025 filed on behalf of accused Yogesh Dua.
3. Now, the bail petition of accused Chirag Kapoor @ Chintak Raj and the written objection filed by the Enforcement Directorate are taken up together for hearing.
4. The bail petition is moved.
5. Ld. Advocate for the accused Chirag Kapoor @ Chintak Raj prays for bail of this accused/petitioner on the following grounds that :
 - a) this accused/petitioner is detained in custody for a considerable period of time;
 - b) the entire allegations against this accused/petitioner are totally false and he is no way connected with this case;
 - c) he is suffering from serious illness and
 - d) this accused/petitioner is a businessman and fixed place of residence and there is o chance of his absconsion.
6. Ld. Public Prosecutor for Enforcement Directorate opposes the bail prayer on the following grounds:
 - a) this accused/petitioner is directly involved in the alleged offence of money laundering;
 - b) if this accused/petitioner is granted bail then the question of tampering of evidence and terrorizing the witnesses cannot be ruled out.
7. I have carefully perused the bail application, written objection filed by Enforcement Directorate and the materials available in the case diary.
8. The Prevention of Money Laundering Act was enacted to combat the menace of money laundering and to curb the use of proceeds of crime in the formal economy. Given the evolving complexity of financial crimes, Courts must adopt a strict approach in matters concerning economic offences to ensure that perpetrators do not exploit procedural loopholes to evade justice.
9. Considering the facts and circumstances of the case, the gravity of the offence and in view of the provisions laid down in Section 45(1) of the Prevention of Money Laundering Act, I am not inclined to allow the bail prayer of the accused person Chirag Kapoor @ Chintak Raj.
10. Hence, the bail prayer of the accused Chirag Kapoor @ Chintak Raj stands **rejected** at this stage.
11. An application dated 14.08.2025 filed by the accused Yogesh Dua is taken up for hearing.
12. By filing this application accused Yogesh Dua has prayed for immediate transfer of the applicant to any Multispeciality Private Hospital at his own cost for surgery and post operative care to prevent from any infection.

13. Perused the report submitted by the Board of Directors of Medical College and Hospital, 88 College Street.

14. True it is that every person enjoys an absolute right of his adequate medical treatment and the State has an obligation to render such treatment.

15. Right to be treated as per his own choice is also an absolute choice of every one, but such right becomes *qualified* one when he is in lying in custody with an allegation of committing serious offence, like the present one.

16. Considering the facts and circumstances of the case, this Court dispose of the application dated 14.08.2025 filed on behalf of the accused Yogesh Dua with a direction upon the Superintendent Presidency Correctional Home Kolkata to –

(a) get the accused Yogesh Dua admitted to SSKM, Hospital, 244 A.J.C Bose Road, Kolkata at the earliest and be examined by concerned doctors of SSKM, Hospital and get the operation if so advised, done as early as possible and the hospital authority is directed to render all medical assistance to the accused and to take proper post operative care to prevent from any infection;

(b) submit a report of the team of doctors before this Court on the date fixed positively;

(c) a copy of this order be forwarded to the Director, Institute of Post-Graduate Medical Education and Research, S.S.K.M. Hospital for information with a request to arrange for surgery of the accused/petitioner Yogesh Dua as early as possible;

d) another copy of this order be also forwarded to the Superintendent Presidency Correctional Home for information and necessary compliance.

e) another copy of this order be handed over to the Investigating Officer through Ld. Special Public Prosecutor of Enforcement Directorate for information and necessary compliance.

17. The Superintendent Presidency Correctional Home where the accused is lodged at present shall arrange for adequate security at the hospital round the clock during the stay of the accused person therein.

18. Fixing **01.09.2025** for submission of report.

19. Let a copy of this order be sent to the Director, Institute of Post-Graduate Medical Education and Research, S.S.K.M. Hospital for information.

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

21. 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

Sd/-

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