

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.10 dated 23.05.2025

Today is fixed for production of the accused persons namely Chirag Kapoor @ Chintak Raj and Yogesh Dua.

Accused person namely Chirag Kapoor @ Chintak Raj is not produced before this Court today.

Received one report bearing no.5964/AB dated 22.05.2025 along with a medical report in respect of the accused person namely Superintendent Presidency Correctional Home from the Superintendent Presidency Correctional Home with regard to non production of this accused person before this Court today due to his medical ground.

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

Accused person Yogesh Dua is produced before this Court in physical mode.

One compliance report vide No5980/IMB dated 23.05.2025 is received from the Superintendent Presidency Correctional Home in regard to the health condition of accused Chirag Kapoor @ Chintak Raj.

Let it be kept with the record.

Ld. Special Public Prosecutor for the Enforcement Directorate as well as Ld. Advocates for the accused persons are present.

Ld. Counsel for the ED files a petition praying for further judicial custody of the accused persons namely Chirag Kapoor @ Chintak Raj and Yogesh Dua and also prays for allowing the I.O./CIO of this case along with his team to interrogate the accused persons in judicial custody and to record the statement of the accused along with Digital devices, Printer and other devices of stationary items required for recording their statement.

Heard both sides. Considered.

On careful perusal of the materials on record it appears to me that judicial custody of the accused persons is essential to unearth further evidences related to the generation of proceeds of crime through cyber fraud. In view of the above fact, detention of the accused in judicial custody is essential for the sake of proper investigation. So, the prayer for further judicial custody of the accused persons is **allowed**.

The I.O./CIO along with his team is at liberty to interrogate and record the statement of the accused persons namely Chirag Kapoor @ Chintak Raj and Yogesh Dua with interrogation Kits (lap top and stationary items) in the concerned correctional home in presence of Jail Superintendent but outside the scope and ambit of his hearing and after compliance of all the legal formalities with regard to interrogation inside the correctional home premises and the same is to be done after proper identification of the team of the Officers of NIA.

The Superintendent of Presidency Correctional Home is directed to render all cooperation after proper verification of the identity of the team of officers of the investigating agency.

Ld. Counsel for the ED files another petition stating that during the investigation the I.O. Of this case has found that Kolkata Police during their investigation has seized substantial evidences including digital evidences viz hard disk, pen-drive, mobile phones etc in large numbers and the complainant issued two letters u/s 54 of PMLA, 2002 dated 09.04.2025 and 22.04.2025 to the Officer-in-charge, Lal Bazar, Cyber PS, Kolkata, but no response was received till date and therefore the ld. Counsel for the ED prays for a direction upon the I.O. And/or the Officer-in-charge of the Cyber Crime Police Station, Kolkata to share the certified copies of the seized documents and devices as in FIR no.60/2024 dated 17.06.2024 with the complainant in terms of section 66 of PMLA, 2002 at the earliest for the purpose of appropriate investigation in this case.

Heard.

In view of the above fact, the Officer-in-charge, Lal Bazar, Cyber PS, Kolkata is directed to instruct the I.O. Of the case bearing FIR no.60/2024 dated 17.06.2024 to share the certified copies of the seized documents and devices as in FIR no.60/2024 dated 17.06.2024 with the complainant in this case in the interest of investigation in this case.

With the above observations, the petition filed today on behalf of the Prosecution is disposed of.

Ld.Advocate for the accused person namely Yogesh Dua verbally prays for production of the accused person in virtual mode.

Heard.

In view of the above, the Superintendent Presidency Correctional Home is directed to take steps for production of the accused, Yogesh Dua in virtual mode on the next date fixed.

Both the accused persons are remanded to J.C till 05.06.2025.

Fixing **05.06.2025** for production of the accused persons.

Let a copy of this order be sent to the Superintendent Presidency Correctional Home for information and submit compliance report about the health of the accused person Chirag Kapoor @ Chintak Raj.

Let a copy of this order be sent to the Officer-in-charge, Lal Bazar, Cyber PS, Kolkata for information and necessary 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

Chief Judge
City Sessions Court, Calcutta

