

M. L. CASE NO. 04 OF 2025
CNR No. WBCS01-000251-2025

Present: Sri Sukumar Ray
 Chief Judge, City Sessions Court, Calcutta
 J.O. CODE NO.WB00590

Order No. 26 dated 23.12.2025

1. Today is fixed for production of the accused persons Ajad Mallik @ Adammed Hossain Azad @ Azad Hussain and Idubhushan Halder, S/R & appearance of the proposed accused company and persons, namely, M/s Goldenize Forex and Travels Pvt. Ltd., Kanchan Das, Pritam Majumder and Shabbir Ali.
2. Today is also fixed for hearing on the point of cognizance.
3. Accused persons, namely, Ajad Mallik @ Adammed Hossain Azad @ Azad Hussain and Idubhushan Halder are produced before this Court from J.C through audio-video electronic means.
4. Service return of notices have been filed by the Enforcement Directorate. Let those be kept with the record.
5. One acknowledgment for receiving entire sets of RUDs and PC has been filed. Let the same be kept with the record.
6. The proposed accused persons Kanchan Das and Pritam Majumder are present by filing fresh Vakalatnama and they are taken into custody.
7. Ld. Advocates for the proposed accused company M/s Goldenize Forex and Travels Pvt. Ltd is present by filing fresh Vakalatnama.
8. Ld. Special Public Prosecutors representing the Enforcement Directorate are present.
9. Ld. Advocate from LADCS, Kolkata for accused Ajad Mallik @ Adammed Hossain Azad @ Azad Hussain is present by filing hazira.
10. Ld. Advocates for rest accused/proposed accused/company are present.
11. Now, the hearing on the point of cognizance.
12. Heard. Considered.
13. It appears from the record that vide order no. 9 dated 19.06.2025, the cognizance has already been taken in respect of the offence.
14. In **CREF Finance Ltd vs Shree Shanthi Homes Pvt. Ltd** reported in **(2005) 7 SCC 467**, the Hon'ble Court has been pleased to observe that cognizance is taken of the offence and not of the offender and, therefore, once the court on perusal of the complaint is satisfied that the complaint discloses the commission of an offence and there is no reason to reject the complaint at that stage, and proceeds further in the matter, it must be held to have taken cognizance of the offence. So, it is well settled that cognizance of an offence/offences once taken cannot be taken again for the second time.
15. In view of above, the hearing on the point of cognizance in regard to the proposed accused persons is thus disposed of because cognizance has already been taken in respect of the offence defined in section 3 of the Prevention of Money Laundering Act, 2002 punishable under section 4 of the Prevention of Money Laundering Act and cognizance of offence once cannot be taken for the second time.

16. Ld. Advocate for the accused persons, namely, Kanchan Das and Pritam Majumder, files separate petitions praying for their bail.
17. Now, the bail petitions are taken up together for hearing.
18. It reveals from the case record that the accused/petitioners have voluntarily surrendered before this Court as per notice issued by this Court.
19. In **2024 SCC OnLine SC 971** in the case of **Tarsem Lal Vs Directorate of Enforcement Jalandhar Zonal Office** the Hon'ble Court observed:

“ After a summons is issued under Section 204 of the CrPC on taking cognizance of the offence punishable under Section 4 of the PMLA on a complaint. If the accused appears before the Special Court pursuant to the summons, he shall not be treated as if he is in custody. Therefore, it is not necessary for him to apply for bail. However, the Special Court can direct the accused to furnish bond in terms of Section 88 of the CrPC.”
20. Considering the nature and role of the accused persons in the alleged offence and in view of the observation of the Hon'ble Apex Court, the prayers for bail of the accused/petitioners **Kanchan Das and Pritam Majumder** are **allowed**.
21. Accused/petitioners **Kanchan Das and Pritam Majumder** may find bail of **Rs. 10,000/- each** with two sureties of **Rs. 5,000/- each** subject to the satisfaction of Ld. Chief Judicial Magistrate, Calcutta with a condition to appear before this Court on each and every date of hearing i.d J.C till **05.01.2026**.
22. If on bail to date i.e. on **05.01.2026** for appearance of the accused persons Kanchan Das and Pritam Majumder before this court.
23. One petition is filed u/s 305 of the Cr.P.C on behalf of the accused/company M/s. Goldenize Forex and Travels Pvt. Ltd.
24. Heard both sides.
25. The accused/company M/s. Goldenize Forex and Travels Pvt. Ltd. is a company incorporated under the companies Act and being private limited company permitted to represent through Mr. Pritam Majumder.
26. Perused the extracts of the minutes of the management committee of the director as of the company held on 19th day of December, 2025.
27. Considered. The prayer is allowed for ends of justice.
28. Accordingly accused/company M/s. Goldenize Forex and Travels Pvt. Ltd. is permitted to represent through Mr. Pritam Majumder.
29. In view of above the petition u/s 305 of the Cr.P.C is disposed of.
30. Vakalatnama has been filed on behalf the proposed accused person, namely, Shabbir Ali.
31. Ld. Advocate for this proposed accused files a petition praying for adjournment.
32. Heard. Considered. The prayer for time is allowed.
33. Issue summons upon the accused Shabbir Ali.
34. Put requisites at once.

35. Accused persons, namely, Ajad Mallik @ Adammed Hossain Azad @ Azad Hussain and Idubhushan Haldar be remanded to J.C till 05.01.2026.
36. Fix **05.01.2026** for appearance & production of the accused persons/company and inspection of documents.
37. Let a copy of this order be sent to the Ld. Chief Judicial Magistrate, Calcutta for information.
38. Let a copy of this order be given to the Enforcement Directorate/complainant through Ld. Special Public Prosecutor for information and necessary compliance.

Dictated & corrected by me,

Chief Judge
City Sessions Court, Calcutta.

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