

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. 27 dated 05.01.2026

1. Today is fixed for appearance & production of the accused persons/company and inspection of documents.
2. 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 and they are remanded to J.C till 19.01.2026.
3. Fresh Vakalatnama has been filed on behalf of accused Idubhushan Halder. Let the same be kept with the record.
4. The accused persons Kanchan Das and Pritam Majumder are present by filing hazira.
5. The accused company M/s Goldenize Forex and Travels Pvt. Ltd is represented by Pritam Majumder under section 305 of the Code of Criminal Procedure.
6. Ld. Special Public Prosecutors representing the Enforcement Directorate are present.
7. Ld. Advocates and Legal Aid Defense Counsel for the accused Persons are present.
8. Accused **Shabbir Ali** has voluntarily surrendered before this Court and he is taken into custody.
9. Ld. Advocate for the accused person, namely, Shabbir Ali, files a petition, supported by an affidavit, praying for his bail.
10. Now, the bail petition is taken up for hearing.
11. Heard Ld. Advocate for the accused/petitioner as well as Ld. Special Public Prosecutor representing the Enforcement Directorate.
12. It reveals from the case record that the accused/petitioner has voluntarily surrendered before this Court as per notice issued by this Court.
13. 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.”
14. Considering the nature and role of the accused person in the alleged offence and in view of the observation of the Hon'ble Apex Court, the prayer for bail of the accused/petitioner **Shabbir Ali** is **allowed**.
15. Accused/petitioner **Shabbir Ali** may find bail of **Rs. 10,000/-** 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 **19.01.2026**.

16. If on bail to date i.e. on **04.02.2026** for appearance of the accused person Shabbir Ali before this court.
17. Ld. Special Public Prosecutor for Enforcement Directorate prays for allowing the Investigating Officer of Enforcement Directorate and his team to interrogate and record the statement of this accused person namely Indubhushan Halder in the Correctional Home.
18. Heard. Considered. The prayer is allowed to facilitate the works of investigation.
19. The Investigating Officer of Enforcement Directorate is at liberty to interrogate and record the statement of this accused person 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 Enforcement Directorate.
20. 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.
21. Another petition has been filed on behalf of accused Shabbir Ali praying for recalling of summons upon the accused.
22. Copy served as per the endorsement.
23. Now the petition is taken up for hearing.
24. Ld. Advocate for the accused person submits that allegations levelled and described in the complaint against the accused/petitioner does not whisper anything material against him and even prima facie case has not been made out and he is dragged in this case on the basis of conjecture and surmises for extraneous reasons. So, he prays for passing necessary order.
25. Ld. Special Public Prosecutor representing the Enforcement Directorate raises vehement objection.
26. Heard both sides.
27. Perused the case record.
28. It appears that cognizance was taken for the commission of the offence vide order no. 09 dated 19.06.2025.
29. It further appears that notice was issued upon this accused vide order no. 25 dated 11.12.2025 and in compliance with the same, he appears before this Court today.
30. Section 362 of the Code of Criminal Procedure (corresponding to Section 403 of Bharatiya Nagarik Suraksha Sanhita, 2023) bars review of the order once passed by the Court except on the ground of any clerical or typographical mistake. It reads as under;

“362. Court not to alter judgment.—Save as otherwise provided by this Code or by any other law for the time being in force, no Court, when it has signed its judgment or final order disposing of a case, shall alter or review the same except to correct a clerical or arithmetical error.”

31. Accordingly, the petition filed by the accused cannot be entertained by this Court as per the bar mandated in the provision of law.
32. Hence, the petition filed the accused Shabbir Ali stands disposed of.
33. Fix **19.01.2026** for production of the accused persons.
34. Fix **04.02.2026** for appearance of the accused persons.
35. Let a copy of this order be sent to the Ld. Chief Judicial Magistrate, Calcutta for information.
36. Let a copy of this order be sent to the Superintendent of Presidency Correctional Home for information and necessary compliance.
37. 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.

Chief Judge
City Sessions Court, Calcutta.