<u>M.L Case no 9 of 2025</u>
<u>CNR – WBCS01-000469-2025</u>
Present: Sri Sukumar Ray
Chief Judge, City Sessions Court, Calcutta
J.O. CODE NO.-WB00590.

Order no. **13** dated **16.09.2025**

1. Today is fixed for appearance, production of the accused person and hearing bail petition filed on behalf accused Sk. Jinnar Ali @ Jinnar Ali.
2. Accused Sk. Jinnar Ali @ Jinnar Ali is produced before this Court from J.C through virtual mode.
3. Ld. Special Public Prosecutor for Enforcement Directorate and Ld. Advocate for this accused person are present.
4. Now the bail petition of accused **Sk. Jinnar Ali @ Jinnar Ali** is taken up for hearing.
5. Ld. Advocate for the accused/petitioner prays for bail of this accused/petitioner on the following grounds :

   i) the accused/petitioner was arrested on 02.07.2025 and since then he is in custody;

   ii) the allegations made in the complainant against the accused/petitioner are misconceived, misleading and inherently improbable;

   iii) he has fully cooperated with the investigation ;

   iv) there is no likelihood of commencement of trial in the near future;

   iv) this accused/petitioner is suffering from serious health conditions which requires medical attention;

   v) the accused/petitioner’s father is totally bedridden and none to look after him without this accused/petitioner;

   vii) the son of this accused/petitioner is only 12 years old and suffering from autism.

   viii) he undertakes that if he is liberated on bail, he will appear before this Court on each date of hearing.
6. Ld. Special Public prosecutor for Enforcement Directorate vehemently opposes the bail prayer of this accused/petitioner on the following grounds:

   i) this accused/petitioner is directly involved in the offence of extortion of huge money ;

   ii) he has played vital role in the offence of money laundering;

   iii) incriminating articles have been seized from his possession;

iv) there is substantial risk that if the accused be released on bail, will interfere with the investigation, influence witnesses, terrorize victims and further dissipate the proceeds of crime.

7. I have carefully perused the case record and the materials appearing in the case diary.
8. Section 45 of the PML Act imposes two conditions for grant of bail to an accused of an offence punishable for an offence under the PML Act. These two conditions are that :

   i) the prosecution must be given an opportunity to oppose the application for bail and

   ii) the Court must be satisfy that there are reasonable grounds for believing that the accused person is not guilty of such offence and that he is not liable to commit any offence while on bail. As well settled, these two conditions are mandatory in nature and they need to be complied with by the accused person is released on bail.
9. At the outset, it needs to be mentioned that the object of the PML Act is to prevent money laundering which has posed a serious threat not only to the financial system of the country but also to its integrity and sovereignty. The offence of money laundering is very serious offence which is committed by an individual with a deliberate desire and the motive to enhance his gains, disregarding the interest of the nation and the society as a whole and such offence by no stage of imagination can be regarded as an offence of trivial in nature. The stringent provisions have been made in the Act to combat the menace of money laundering.
10. The PML Act has been enacted to deal with the subject of money laundering activities having transnational impact on financial system including sovereignty and integrity of the country. The offence of money laundering has been regarded as aggravated form of crime world over and the offenders involved in the activity connected with the proceeds of crime are treated as separate class from ordinary criminals.
11. On careful perusal of the materials appearing in the case diary, it appears that this accused/petitioner is allegedly involved in extorting money from various victims under the pretext of helping in Enforcement Directorate investigation. It further appears that he has extorted huge sum of money from various victims through middlemen. The offence of Money Laundering has been regarded as an aggravated form of crime and offender involved in the activity connecting with the proceeds of crime is treated as separate class from ordinary criminals.

12. On further scrutiny of the record, it prima facie appears that Hafijul Islam received a purported Enforcement Directorate's summon, after which Sk Jinnar Ali suo motu called him claiming information from CGO about an Enforcement Directorate case and likely arrest of Hafijul, and demanded Rs. 1.5 crore to settle the matter. It also appears that Anjana Goel paid a sum of Rs. 1.5 crore to Anant Agarwal for onward payment to "S Kumar", intended to influence an ongoing investigation of the Directorate. It further appears that the person introduced as "S Kumar" was none other than Sk Jinnar Ali. It also appears that Sk Jinnar Ali extorted and cheated money by falsely promising to settle Enforcement Directorate cases, falsely impersonated and misrepresented his reach inside Enforcement Directorate, employed complex channels of money transfer through proxies and front entities, and ultimately received and benefited from these payments.
13. Money laundering is an aggravated form of crime that has serious consequences and should not be treated like ordinary offences. It is no more res integra that offence of money laundering is an independent offence regarding the process or activity connected with the proceeds of crime, which had been derived or obtained as a result of criminal activity relating to or in relation to a scheduled offence. Hence, involvement in any one of such process or activity connected with the proceeds of crime would constitute offence of money laundering. In this regard, I borrow my wisdom from the observation of the Hon'ble Apex Court in **Union of India vs Kanhaiya Prasad** reported in **AIR 2025 Supreme Court 1028**.
14. Going by the nature, gravity and enormity of the alleged offence and materials on record, apprehension of tampering of evidence and intimidation/influencing of witnesses in the event of accused/petitioner being liberated on bail does not appear to be misplaced.
15. Considering the facts and circumstances of the case, I am not inclined to allow the prayer for bail for the accused/petitioner.
16. Accordingly, the prayer for bail of the accused person namely, **Sk. Jinnar Ali @ Jinnar Ali** stands **rejected**.
17. Fixing 26.09.2025 for appearance and production of the accused person.
18. Accused person Sk. Jinnar Ali @ Jinnar Ali be remanded to J.C till 26.09.2025.
19. Return the case diary.

Dictated & corrected by me

Sd/-	Sd/-
Chief Judge, City Sessions Court, Calcutta.	Chief Judge, City Sessions Court, Calcutta.