M.L Case No 09 of 2025
CNR-WBCS01-000469-2025
Present: Shri Sukumar Ray
Chief Judge,
City Sessions Court, Calcutta.
JO Code No: – WB00590.

Order No. 21 dated 22.12.2025

1. Today is fixed for appearance & production of the accused and passing order in respect of the petition filed by the accused person, namely, Sk. Jinnar Ali @ Jinnar Ali praying for his discharge from this case.
2. The accused person, namely, Sk. Jinnar Ali @ Jinnar Ali is produced before this Court from J.C through audio-video electronic means.
3. Ld. Special Public Prosecutor for Enforcement Directorate is present.
4. Ld. Advocate for the accused person is also present.
5. Now, the petition filed by the accused person, namely, Sk. Jinnar Ali @ Jinnar Ali praying for his discharge from this case is taken up for hearing.
6. Ld. Advocate for the accused person prays for discharging of the accused on the grounds that–
   (a) on the basis of mere suspicion, surmises and conjectures, he was arrayed as an accused in this case;
   (b) he is in no way connected with the alleged offence of money laundering;
   (c) the allegation of money laundering against the accused person is not only preposterous but is inherently improbable;
   (d) there is no document to implicate this accused person in the alleged offence;
7. Ld. Advocate for the accused/petitioner submits that the accused/petitioner has been falsely implicated in this case and he is in no way involved in the alleged offence of money laundering. He further contends that the case is a sequel to personal vendetta and is out of malice. Accordingly, he prays for the discharge of the accused/petitioner from this case.
8. Ld. Special Public Prosecutor for Enforcement Directorate opposes the petition praying for discharge of the accused person on the following grounds that -
   (a) this accused/petitioner is directly involved in the alleged offence of extorting huge amount of money from various victims under the pretext of helping in investigation.
   (b) this accused/petitioner has allegedly extorted huge sum of money from various victims through middlemen.
   (c) he has allegedly portrayed himself as Chairman of a fake organization named National Anti-Trafficking Committee (NATC), claiming affiliation with NITI Aayog.
9. I have carefully perused the case record and the materials appearing in the case diary including the prosecution complaint.

10. In **Dilwar Balu Kurane Versus State of Maharashtra; (2002) 2 Supreme Court Cases 135** in dealing with a case under Prevention of Corruption Act the Hon'ble Apex Court has observed that – "………..In exercising powers under Section 227 of the Code of Criminal Procedure, the settled position of law is that the Judge while considering the question of framing the charges under the said section has the undoubted power to sift and weigh the evidence for the limited purpose of finding out whether or not a prima facie case against the accused has been made out; where the materials placed before the court disclose grave suspicion against the accused which has not been properly explained the court will be fully justified in framing a charge and proceeding with the trial; by and large if two views are equally possible and the Judge is satisfied that the evidence produced before him while giving rise to some suspicion but not grave suspicion against the accused, he will be fully justified to discharge the accused, and in exercising jurisdiction under Section 227 of the Code of Criminal Procedure….".
11. In **State of Bihar Vs Ramesh Singh, AIR 1977 Supreme Court 2018** it was held that - "…....... Reading Ss. 227 and 228 together in juxtaposition, as they have got to be, it would be clear that at the beginning and the initial stage of the trial the truth, veracity and effect of the evidence which the prosecutor proposes to adduce are not to be meticulously judged. Nor is any weight to be attached to the probable defence of the accused. It is not obligatory for the Judge at that stage of the trial to consider in any detail and weigh in a sensitive balance whether the facts, if proved, would be incompatible with the innocence of the accused or not. The standard of test and judgment which is to be finally applied before recording a finding regarding the guilt or otherwise of the accused is not exactly to be applied at the stage of deciding the matter under S. 227 or S. 228 of the Code. At that stage the Court is not to see whether there is sufficient ground for conviction of the accused or whether the trial is sure to end in his conviction…"
12. In **Ram Prakash Chadha vs State of Uttar Pradesh reported in AIR 2024 Supreme Court 3540** the Hon'ble Apex Court observed that at the stage of consideration of such an application for discharge, defence case or material, if produced at all by the accused, cannot be looked at all. Once "the record of the case and the documents submitted therewith" are before the Court they alone can be looked into for considering the application for discharge and thereafter if it considers that there is no sufficient ground for proceeding against the accused concerned then he shall be discharged after recording reasons therefore.
13. The Hon'ble Court again observed that the strong suspicion in order to be sufficient to frame a charge should be based on the material brought on record by the prosecution and should not be based on supposition, suspicions and conjectures. In

other words, in order to be a basis to frame charge the strong suspicion should be the one emerging from the materials on record brought by the prosecution.

14. The court, at this stage, is required to go through the materials submitted with the complaint and Relied upon documents. But the court is not required to make any roving enquiry with regard to the charges to be framed against the accused person. The court is also not required to go deeper into the different kinds of evidence collected during investigation. What the Court is required to do is to make a prima facie finding based upon the satisfaction reached at by taking into consideration the materials in the complaint, and upon hearing both the parties.
15. At this stage of framing of charge court is not required to get it satisfied by analyzing the materials collected and produced by the investigating officer in the same manner as the court is required to satisfy itself during trial of the case. Therefore, dissatisfaction at the stage of framing of charge and satisfaction during trial with regard to the materials brought before the court vis-a-vis the accusation against the accused is completely different. During trial the court has to record its finding on the basis of proof beyond reasonable doubt but at the time of framing of charge the court is not required to apply the said rule. A prima facie finding is enough. Even a strong suspicion is sufficient to frame charge against the accused person.
16. From a careful examination of the materials available on record and the case diary, it prima facie appears that this accused/petitioner is allegedly involved in extorting money from various victims under the pretext of helping in investigation of cases initiated by Enforcement Directorate and has extorted huge sum of money from various victims through middlemen.
17. It also 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.
18. The accused appears to have dishonestly induced various persons and entities to transfer large sums to his personal accounts and those of his controlled companies-M/s. Sparkline Strategy & Solutions Pvt. Ltd., Sparkline Management Services Pvt. Ltd., and Asiatic Research Organization. He did so by misrepresenting his ability to influence

government decisions, promising favours like contracts, licenses, and cleared dues, while representing himself as senior Central Government, ED, or CBI officers.

19. It further prima facie appears that huge amount, as proceeds of crime, have already been attached in this case by the Enforcement Directorate and the proceeds of crime was placed by this accused into the financial system through RTGS, cheque credits and cash deposits into his personal bank account and into the account of company ran by him. It further appears that this accused fraudulently claimed M/s. National Anti Trafficking Committee and M/s. Asiatic Research Organization as government organizations, using NITI Aayog's Logo and National Emblem on websites and on ID cards and used them in cheating the defrauded innocent people.

20. From these facts, it prima facie appears that he was knowingly and actively engaged in activities connected with the proceeds of crime, including their concealment, possession, acquisition, use, and also in projecting and claiming such illegally obtained funds as legitimate property. Therefore, his conduct prima facie attracts the offence of money laundering.

21. Considering all of above, it appears to me that the instant application praying for discharging the accused Sk. Jinnar Ali @ Jinnar Ali is devoid of merit.

22. Accordingly, the petition dated 17.12.2025 filed by the accused **Sk. Jinnar Ali @ Jinnar Ali** praying for discharging him from this case stands disposed of in the **negative**.

23. The accused person, namely, **Sk. Jinnar Ali @ Jinnar Ali** be remanded to J.C till 03.01.2026.

24. Fix **03.01.2026** for appearance & production of the accused and framing of charge.

25. Case Diary be returned at once.

26. Let a copy of this order be sent to the complainant/Enforcement Directorate through the Ld. Special Public Prosecutor.

Dictated & corrected by me,

Chief Judge
City Sessions Court, Calcutta.

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