

M.L. CASE NO 06 OF 2025
CNR-WBCS01-000298-2025
Present: Sri Sukumar Ray
Chief Judge, City Sessions Court, Calcutta
J.O. CODE NO.WB00590.

Order no.09 dated 27.01.2026

1. Today is slated for appearance of the accused persons and hearing of the application under section 228 of the Bharatiya Nagarik Suraksha Sanhita, 2023 dated 14.11.2025 dated filed by the accused person namely Dibyendu Dhar, written objection, if any, in the meantime.
2. The accused persons, namely, Dibyendu Dhar on Court bail is present before this Court.
3. The accused person namely Prajna Paramita Mitra on Court bail is absent by filing a petition praying for allowing her to be represented through the Ld. Counsel namely Saptarnab Manna u/s 355 of BNSS read with section 317 of the Cr. P.C.
4. Ld. Counsel for the accused persons are present in Court.
5. Ld. Special P.P. for Enforcement Directorate is present by filing hazira.
6. Heard both sides.
7. Prayer is considered and allowed.
8. The Ld. Counsel is at liberty to represent the accused person namely Prajna Paramita Mitra today u/s 355 of BNSS read with section 317 of the Cr. P.C.
9. One compliance report in compliance with the order no. 6 dated 12.09.2025 has been filed by Yashpal, Assistant Director of Enforcement Directorate through the Ld. Special Public Prosecutor.
10. Perused the same and let the same be kept with the record.
11. Ld. Advocate for accused Dibyendu Dhar files a petition praying for keeping in abeyance all further proceedings in M.L case no. 6 of 2025 till the disposal of the proceedings in connection with the alleged commission of the scheduled offences, in Balurghat Police Station case no. 859 of 2022 dated 12.12.2025.
12. Perused the same and let it be kept with the record.
13. Now, petition under section 228 of the Bharatiya Nagarik Suraksha Sanhita, 2023 dated 14.11.2025 filed on behalf of the accused person Dibyendu Dhar is taken up for hearing.
14. Ld. Advocate for the accused submits that he is a resident of Balurghat, District Dakshin Dinajpur and it will be a hardship for him to appear before this court on each and every dates of hearing of this case.
15. Ld. Advocate for the accused further submits that the accused/petitioner has a permanent residence and the case is based on papers and documents and the question of identification of the accused/petitioner is not required and the accused/petitioner undertakes not to challenge on the point of identification at any point of time in this case.
16. Ld. Advocate for the accused/petitioner prays for passing order to dispense with the personal appearance of the accused/petitioner and allow the Ld. Advocate Mr. Abhishek Banerjee to represent the accused/petitioner under section 228 of the Bharatiya Nagarik Suraksha Sanhita, 2023.
17. Ld. Special Public Prosecutor for the Enforcement Directorate raised objection.

18. It appears from the record that the case is based on documents and the accused/petitioner has undertaken not to challenge on the point of identification at any point of time in this instant case and day to day appearance of this accused in court is at present not required.
 19. Considering the facts and circumstances of the case, the prayer under section 228 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed by accused/petitioner Dibyendu Dhar is hereby **allowed** on the following conditions-
 - (a) the accused person Dibyendu Dhar is permitted to represent through his Ld. Advocate on each and every date of hearing and that he shall not object recording of the evidence in his absence;
 - (b) accused Dibyendu Dhar shall give an undertaking to the effect that he should not dispute his identity in this case;
 - (c) the accused Dibyendu Dhar shall appear before this court for the purpose of framing of charges, examination under section 351 of the Bharatiya Nagarik Suraksha Sanhita, 2023 and also on other dates fixed for hearing whenever this court insists for his appearance.
 20. Accused person Dibyendu Dhar is permitted to represent through his Ld. Advocate Mr. Abhishek Banerjee.
 21. Thus, the petition dated 14.11.2025 filed by the accused Dibyendu Dhar is disposed of.
 22. Fix **19.02.2026** for appearance of the accused persons, hearing of the petition filed on 27.01.2026 on behalf of accused Dibyendu Dhar and hearing on the point of consideration of charge.
 23. The accused persons are directed to appear before this court personally on the next date fixed positively.
 24. The accused persons, on court bail, are as before.
 25. Let a copy of this order be sent to the Complainant/ Enforcement Directorate through Ld. Special Public Prosecutor for information and necessary action.
- D/C by me

Chief Judge
City Sessions Court, Calcutta

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