

M.L. CASE NO 07 OF 2018

CNR-WBCS01-000592-2018

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

Order no.72 dated 19.07.2025

Today is fixed for E/R of warrant of arrest in respect of accused Rakesh Jaiswal and appearance of the rest of the accused persons.

Today is also fixed for production of the accused person Sanjay Sureka (who is on Court bail in this case) through physical mode or virtual mode.

Today is also fixed for further compliance report from the Chief Judicial Magistrate, Calcutta regarding 446 of the Cr. P.C. against the sureties.

Today is also fixed for bringing updated order of the Hon'ble Court.

Ld. Counsel for the Complainant/Enforcement Directorate is present by filing hazira.

The accused persons namely (A-11) Shri Pravin Saraf and (A-13) Shri Krishna Kumar Todi who are on court bail are present in Court in person by filing hazira.

The accused person namely (A-09) Shri Sanjay Sureka who is on Court bail in this case is produced before this Court from the J.C. in virtual mode.

One petition along with an extract copy of board resolution and a fresh Vakalatnama has been filed on behalf of the accused/company no.1) M/s Prakash Vanijya Pvt. Ltd. praying for allowing the accused/company no.1 to be represented by the Ld. Advocate, Mr. Arka Ghosh u/s 305 Cr. P.C. on all subsequent dates of the proceedings in the instant case.

Copy served.

Let the same be kept with the record.

Sri Arka Ghosh who is representing the accused person no. 2 Manoj Kumar Jain u/s 205 Cr. P.C. is also present by filing hazira.

Mr. Joy Prakash Singh who is representing the accused Company no.(A-03) M/s Louis Dryfus Company India Pvt. Ltd. u/s 305 of the Cr. P.C. is present.

Ld. Counsel for the official liquidator Mr. Kshitiz Chhawchharia of Chhawchharia & Co., who was appointed on behalf of the accused/petitioner nos. (A-04) M/s Concast Exim Limited, (A-05) M/s Concast Bengal Industries Limited, (A-06) M/s Concast Steel & Power Limited, (A-07) M/s Concast Ispat Limited, (A-08) M/s Dankuni Steel Limited is absent by filing a petition and prays for condoning her absence due to illness.

Mr. Suvorajan Mukherjee who is representing the accused person nos.(A-09) Shri Sanjay Sureka, (A-11) Shri Pravin Saraf, (A-13) Shri Krishna Kumar Todi, (A-15) Shri Naresh Sharma and (A-16) Shri Pankaj Shah u/s 205 of the Cr. P.C. is present in Court by filing hazira.

Ld. Counsel for the official Liquidator, Mr. Sanjit Kumar Nayak, representing the accused /company no.(A-10) is present by filing hazira.

Krishna Kumar Todi who is representing the accused/company no.(A-12) M/s M.M.P. Exim Pvt. Ltd. and the Ld. Advocate Ms. Dishani Kanjilal who is the accused/company no.(A-14) M/s Tirupati Fuels Pvt. Ltd. u/s 305 Cr. P.C. are present in Court by filing respective haziras.

Continued order no.72 dated 19.07.2025

The complainant, Assistant Directorate has filed a petition along with a Xerox copy of Death Certificate bearing Registration no.803162/B/D/2025/015184 dated 15.02.2025 in the name of Rakesh Jaiswal and the original Warrant of arrest against the warrantee namely Rakesh Jaiswal through the Ld. Special P.P. of E.D. and stated that the accused/warrantee namely Rakesh Jaiswal has expired on 12.02.2025 at Manipal Hospitals, Whitefield, BBMP, Bengaluru Urban, Karnataka and prayed for taking on record the factum of death of the accused, Rakesh Jaiswal and passing necessary order.

Perused the petition, Xerox copy of Death Certificate bearing Registration no.803162/B/D/2025/015184 dated 15.02.2025 in the name of Rakesh Jaiswal and the original warrant of arrest.

Heard the Ld. Special P.P. of E.D.

In view of the above fact, the case against the accused no.(A-17) namely **Rakesh Jaiswal** is **filed for ever**.

Received one compliance report from the Court of Ld. Chief Judicial Magistrate, Calcutta vide no.3432 dated 14.07.2025 in compliance with order no.71 dated 19.06.2025 passed by this Court stating that Misc case being no.98 of 2025 u/s 446 of the Cr. P.C. was initiated against the sureties namely Anwar Chowdhury and Partha Denre and the sureties did not appear before the Court despite receiving notice and hence bailable warrant of arrest was issued against both the sureties.

Perused the same and let the same be kept with the record.

Ld. Counsel for Mr. Sanjit Kumar Nayak, the official Liquidator representing the accused /company no.(A-10) files a petition and prays for releasing and/or restoring the property of the Corporate Debtor M/s Saraf Impex Private Limited, presently known as M/s Skyrise Overseas Private Limited being office no.112 of Super Build Area 1489 Sq. ft. (net 1042 sq. ft.) and one parking area of 1 car in the lower basement of the building named "Diamond Prestige" address:- 41A, A.J.C. Bose Road, Police Station-Park Street, Kolkata from the order of attachment passed in connection with ECIR no.KLZO/09/2016/7785 against M/s Saraf Impex Private Limited, presently known as M/s Skyrise Overseas Private Limited so that liquidation proceeding of the same being C.P. (IB)1512 (KB) 2018 can be concluded on the ground stated therein.

Copy served.

Let the same be kept with the record.

Ld. Counsel for the accused Company no.(A-03) M/s Louis Dryfus Company India Pvt. Ltd. has filed a petition along with a server copy of order dated 15.07.2025 passed by the Hon'ble High Court at Calcutta in CRR no.1145 of 2024 with IA no.CRAN 1 of 2024 stating that the accused/company no.3 has preferred a revision before the Hon'ble High Court at Calcutta challenging the entire proceedings drawn up in connection with this case so far as it relates to the accused no.3 and the same matter has been enlisted before the Hon'ble Court on 20.08.2025 for further hearing and therefore prays for an adjournment.

Perused the server copy of order in CRR no.1145 of 2024 with IA no.CRAN 1 of 2024 wherein the Hon'ble Court has been pleased to observe as follows:

“On prayer, let this matter appear in the list of 20th August, 2025.”

Continued order no.72 dated 19.07.2025

Heard both sides.

Prayer for an adjournment is considered and allowed with a direction upon the Ld. Counsel for the accused person no. 3 to furnish updated order of the Hon'ble Court.

Fixing **25.08.2025** for appearance of the accused persons.

To-date i.e. on **25.08.2025** for hearing of the petition u/s 305 of the Cr. P.C. dated 19.07.2025 filed on behalf of the accused/company no.1) M/s Prakash Vanijya Pvt. Ltd.

Written objection, if any, in the meantime.

To-date i.e. on **25.08.2025** for hearing of the petition dated 19.07.2025 filed Ld. Counsel for Mr. Sanjit Kumar Nayak, the official Liquidator representing the accused /company no.(A-10).

Written objection, if any, in the meantime.

To-date i.e. on **25.08.2025** for production of the accused person Sanjay Sureka (who is on Court bail in this case) through physical mode or virtual mode.

To-date i.e. on **25.08.2025** for bringing updated order of the Hon'ble Court.

All the accused persons on Court bail are as before.

Let a copy of this order be sent to the Ld. Chief Judicial Magistrate, Calcutta for information.

Let a copy of this order be sent to the Complainant/ Enforcement Directorate through Ld. Special P.P. for information and necessary action.

D/C by me

Sd./-

Chief Judge
City Sessions Court, Calcutta

Sd./-

Chief Judge
City Sessions Court, Calcutta

