

Criminal Misc Case no.155 of 2024
CNR-WBCS01-000842-2024
Present: Sri Soumendra Nath Das
Chief Judge, City Sessions Court, Calcutta
J.O. CODE NO.WB01132

Arising out of Ref: . ECIR NO. KLZO-II/17/2022 dated 31.05.2022

Order no. 01 dated 27.09.2024

Complainant Rajesh Kumar, Assistant Director, KLZO-II, Enforcement Directorate, Government of India, CGO Complex, 3rd MSO Building, DF Block, 6th Floor, Salt Lake, Kolkata-700064 files a petition along with a copy of ECIR NO. KLZO-II/17/2022 dated 31.05.2022 through the Ld. Special P.P. stating that the said ECIR NO. KLZO-II/17/2022 dated 31.05.2022 has been registered on the basis of the two FIRs bearing nos.RC0102022A0005 dated 20.05.2022 and RC0102022A0002 dated 05.04.2022 which were registered by the Central Bureau of Investigation, Anti Corruption Bureau, Kolkata under sections 120B & 417 of the Indian Penal Code and Section 7 of the Prevention of Corruption Act, 1988 and under sections 120B & 420 of Indian Penal Code and section 7 of the Prevention of Corruption Act, 1988 respectively in compliance to the directions of the Hon'ble High Court at Calcutta and section 120B of IPC and section 7 of Prevention of Corruption Act, 1988 are mentioned in the paragraph 1 and paragraph 8 respectively of part A of the schedule to Prevention of Money Laundering Act, 2002 (PMLA) and so ECIR NO. KLZO-II/17/2022 dated 31.05.2022 was registered.

Perused the petition along with the copy of the ECIR NO. KLZO-II/17/2022 dated 31.05.2022.

Accordingly, register it as a Criminal Misc Case bearing no.155 of 2024.

The CBI, ACB had filed original charge sheet no.07/2022 dated 30.09.2022, 1st supplementary charge sheet no.01/2023 dated 15.03.2023 and 2nd supplementary charge sheet no.02/2024 dated 06.01.2024 in the matter of FIR no. RC0102022A0005 dated 20.05.2022 against the accused persons including the accused person namely Sri Chandan Mondal and the said accused person is presently lodged in Presidency Correctional Home, Alipore, Kolkata in FIR no. RC0102022A0005 dated 20.05.2022 and original charge sheet no.07/2022 dated 30.09.2022, 1st supplementary charge sheet no.01/2023 dated 15.03.2023 and 2nd supplementary charge sheet no.02/2024 dated 06.01.2024 filed by the Central Bureau of Investigation, Anti Corruption Bureau, Kolkata.

The complainant has further stated that during the course of investigation under the provisions of PMLA, 2002 evidences were collected and in the light of evidences collected during the course of investigation, statement of the accused person namely Sri Chandan Mondal is required to be recorded by the petitioner under section 50 of PMLA, 2002 in order to unearth the utilization of the proceeds of crime and laundering thereof.

The Ld. Special P.P. (PMLA) prays for allowing the petitioner and his team viz. Shri Nawdeep Kumar, Assistant Enforcement Officer and other accompanying officers to enter the Jail premises along with the Laptor, Printer and other documents/devices and examine/interrogate the accused person namely Sri Chandan Mondal and record his statement in writing in Presidency Correctional Home, Alipore, Kolkata in connection with ECIR NO. KLZO-II/17/2022.

The Ld. Special P.P. (PMLA) also prays for a direction upon the Superintendent of Presidency Correctional Home, Alipore, Kolkata to render all necessary assistance while the process of interrogation and recording of the statement of the above named accused person in judicial custody will be conducted by Enforcement Directorate Officials.

Seen the petition along with the supporting document.

Heard the Ld. Special P.P. (PMLA).

Considered.

Having heard the submissions of the Ld. Special P.P. (PMLA) and prima facie being satisfied with the ground assigned in the petition, the prayer for interrogation and recording of the statements of the accused person namely Sri Chandan Mondal is allowed in the interest of thorough and proper investigation.

The petitioner and his team viz. Shri Nawdeep Kumar, Assistant Enforcement Officer and other accompanying officers is at liberty to interrogate and record the statement of the accused person namely Sri Chandan Mondal who is lodged in Presidency Correctional Home in presence of Jail Superintendent but outside the ambit of his hearing and after compliance of all legal formalities.

The petitioner and his team viz. Shri Nawdeep Kumar, Assistant Enforcement Officer is also at liberty to enter the Jail premises along with the Laptor, Printer and other documents/devices and examine/interrogate the accused person namely Sri Chandan Mondal after compliance of all legal formalities.

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.

Let a copy of this order be sent to the Superintendent, Presidency Correctional Home for information and compliance.

Let a copy of this order be handed over to the I.O. of this case through Ld. Special P.P. (PMLA) for information and necessary action.

In view of the above observation, the criminal misc case is disposed of.

D/C by me.

Sd./-

Chief Judge
City Sessions Court.
Calcutta.

Chief Judge
City Sessions Court.
Calcutta

