IN THE COURT OF CHIEF JUDGE, CITY SESSIONS COURT, BICHAR BHAWAN, CALCUTTA

M. L. CASE NO.09 OF 2024
CNR NO.WBCS01-001042-2024
Present: Sri Soumendra Nath Das
Chief Judge, City Sessions Court, Calcutta
J.O. CODE NO.WB01132

Order No.09 dated 22.01.2025

Put up petition along with a complaint under sections 44 read with section 45 and 70 of Prevention of Money Laundering Act, 2002 has been filed by the Complainant Rajesh Kumar, Assistant Director, KLZO-II, Enforcement Directorate, Government of India, CGO Complex, 3rd MSO Building, 6the Floor, DF Block, Salt Lake, Kolkata-700064 through the Ld. Special P.P. for Enforcement Directorate praying for taking cognizance of the offence of money laundering as defined under section 3 read with section 70 punishable under section 4 of PMLA, 2002 committed by accused persons (A-1 to A-20) and to proceed against the aforesaid accused persons in accordance with law and also for issuance of process against the Accused persons/entities.

Put up petition is considered and allowed.

Let the case record be put up before this Court at once.

D/C by me.

Sd./-

Chief Judge
City Sessions Court, Calcutta

Chief Judge
City Sessions Court, Calcutta

Later:

The case record is placed before this Court.

It transpires that the Complainant Rajesh Kumar, Assistant Director, KLZO-II, Enforcement Directorate, Government of India, CGO Complex, 3rd MSO Building, 6th Floor, DF Block, Salt Lake, Kolkata-700064 has filed a complaint under sections 44 read with section 45 and 70 of the Prevention of Money Laundering Act, 2002, disclosing the facts and circumstances constituting the commission of an offence under section 3 and punishable under section 4 of the Prevention of Money Laundering Act, 2002 against the accused persons (A-1) **Prasanna Kumar Roy, (A-2) Chandan Mondal, (A-3) Santi Prasad Sinha**, **(A-4) Samarjit Acharya**, **(A-5) Ashok Kumar Saha, (A-6) Saumitra Sarkar, (A-7) Kalyanmoy Ganguly, (A-8) Subires Bhattacharyaa, (A-9) Smt. Parna Bose, (A-10) M/s NYSA Communications Pvt. Ltd., (A-11) Niladri Das, (A-12) Puneet Kumar, (A-13) Pankaj Bansal, (A-14) Anoy Saha, (A-15) Subrata Samanta, (A-16) Santu Das, (A-17) Pradip Singh, (A-18) Smt. Kajal Soni Roy, (A-19) M/s Shree Durga Dealcom Pvt. Ltd.** and (A-20) **M/s ND Infosystems Ptv. Ltd.** in connection with ECIR No. KLZO-II/17/2022 dated 31.05.2022 which has been registered on the basis of the **FIR No. RC0102022A0005 dated 20.05.2022** (CBI Chargesheet No. 07/2022 dated 30.09.2022, 1st Suppl. Chargesheet No. 01/2023 dated 15.03.2023, 2nd Suppl. Chargesheet No. 02/2024 dated 06.01.2024 & **FIR**

No. RC0102022A0002 dated 05.04.2022 (CBI Chargesheet No. 31/2022 dated 30.12.2022, Ist Suppl. Chargesheet No. 10/2023 dated 17.05.2023 & 2nd Suppl. Chargesheet No. 03/2024 dated 06.01.2024) registered by Central Bureau of Investigation, ACB, Kolkata under Sections 7 of the Prevention of Corruption Act, 1988 and Sections 120B & 420 of the Indian Penal Code, 1860 under Paragraphs 8 and 1 respectively of Part A of the Schedule, as defined under Section 2 (1) (y) of PMLA, 2002 Kolkata, West Bengal and said cases are being tried before the Court of Ld. Special Judge for CBI Cases, Alipore, South 24 Parganas and the said FIRs have been registered invoking the provisions of Sections 120B 417 & 420 of Indian Penal Code & Section 7 of Prevention of Corruption Act, 1988 as amended by P.C. (Amendment) Act, 2018) and the Sections 120B & 420 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 schedule to Prevention of Money Laundering Act, 2002 (PMLA) and therefore, are scheduled offences under the PMLA, 2002 and the suspect(s) persons, by committing the scheduled offence, have been involved in acquisition of proceeds of crime and have laundered and projected the same as untainted property and in view of the same, a case for the offence of money laundering has been registered vide ECIR/KLZO-II/17/2022 on 31.05.2022 against the above mentioned 20 (twenty) accused persons.

On perusal of the case record it transpires that the complaint case has already been registered as a PMLA Case bearing **M.L. Case no.09 of 2024**.

Ld. Special P.P. for Enforcement Directorate submits that the instant case under PMLA has been initiated based on the two FIRs bearing no. RC0102022A0005 dated 20.05.2022 & RC0102022A0002 dated 05.04.2022, registered under sections 120B & 420 of Indian Penal Code & Section 7 of the Prevention of Corruption Act, 1988 and the offence punishable under Sections 7 of the Prevention of Corruption Act, 1988 and Sections 120B & 420 of the Indian Penal Code, 1860 comes under the purview of the Scheduled Offence under Part A of Paragraphs 8 and 1 respectively in terms of Section 2(1)(y) of Prevention of Money Laundering Act, 2002.

Ld. Special P.P. for Enforcement Directorate further submits that during investigation under PMLA, 2002 it is revealed that total 4408 (1766 for Group C + 2642 for Group D) candidates were placed in the final panel or in the waiting list after manipulating their marks and 990 (381 for Group C + 609 for Group D) candidates were appointed/recommended illegally for the post of Group C & Group D staff by the officials of WBCSSC after the expiry of panel in criminal conspiracy with Shri Prasanna Kumar Roy, who had acted as main middleman, & Ors. The private persons such as Shri Prasanna Kumar Roy & his associates collected details from the undeserving candidates and monies from them for getting them appointment. As per the Charge sheets/Supplementary Charge sheets, various amounts, which varies from candidate to candidates, were asked and collected from the undeserving candidates in lieu of getting their appointment. During the course of investigation, it is also revealed that monies were also collected from various undeserving candidates who were finally not selected. The total proceeds of crime in this case runs into hundreds of crores which have been collected from the undeserving candidates.

Ld. Special P.P. for Enforcement Directorate further submits that during the course of investigation, this office has identified and provisionally attached properties having fair market value worth Rs. 163.20 crores and Rs. 46.13 lakh u/s 5(1) of the PMLA vide Provisional Attachment Order No. 14/2024 dated 25.10.2024 & Provisional Attachment Order No. 17/2024 dated 30.12.2024 pertaining to accused persons/entities mentioned in this complaint.

Ld. Special P.P. for Enforcement Directorate further contends that from the investigation and the evidences gathered, it is clearly established that the accused committed the offence of money laundering as defined u/s 3 of PMLA read with section 70 of PMLA and they are liable to be prosecuted and punished u/s. 4 of PMLA and the attached properties involved in the money laundering are liable to be confiscated in terms of Section 8(5) of PMLA.

Ld special P.P. further contends that the scheduled offence were committed in West Bengal and this Court is notified as a Special Court under Section 43(1) of the Act to try the offences of Money Laundering and the cause of action for the offence of Money Laundering arose within the jurisdiction of this Court.

Ld. Special P.P. for Enforcement Directorate prays for taking cognizance of the offence of money laundering as defined under section 3 read with Section 70 punishable under section 4 of PMLA, 2002 committed by accused persons/entities (A-1 to A-20) and to proceed against the aforesaid accused persons namely (A-1) **to** (A-20) in accordance with law and also for issuance of process against the Accused persons.

The complainant also prays for taking cognizance of the offence of money laundering as defined under section 3 read with Section 70 punishable under section 4 of PMLA, 2002 committed by accused persons/entities (A-1 to A-20) and to proceed against the aforesaid accused persons namely (A-1) **to** (A-20) in accordance with law and also for issuance of process against the Accused persons.

The complainant further prays to try and punish the accused persons namely (A-1) **to** (A-20) under Section 3 read with Section 4 and section 70 of PMLA, 2002 in accordance with the law.

The complainant also prays for passing appropriate orders as contemplated under section 8(5) of the PMLA, 2002 with respect to the properties involved in money laundering and property used for commission of the offence of money-laundering and confiscate the same to the Central government.

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

Perused the petition of the complaint and the documents annexed thereto.

Perused the complaint and also the documents annexed with the same.

Let the petition u/s 8 (5) of the PMLA, 2002 be kept with the record.

I have perused the materials on record and the ECIR very carefully.

It appears that a prima facie case has been made out against the accused persons (A-1) **Prasanna Kumar Roy, (A-2) Chandan Mondal, (A-3) Santi Prasad Sinha**, **(A-4) Samarjit Acharya**, **(A-5) Ashok Kumar Saha, (A-6) Saumitra Sarkar, (A-7) Kalyanmoy Ganguly, (A-8) Subires Bhattacharyaa, (A-9) Smt. Parna Bose, (A-10) M/s NYSA Communications Pvt. Ltd., (A-11) Niladri Das, (A-12) Puneet Kumar, (A-13) Pankaj Bansal, (A-14) Anoy**

Saha, (A-15) Subrata Samanta, (A-16) Santu Das, (A-17) Pradip Singh, (A-18) Smt. Kajal Soni Roy, (A-19) M/s Shree Durga Dealcom Pvt. Ltd. and (A-20) **M/s ND Infosystems Ptv. Ltd..**

Accordingly, cognizance in respect of the accused persons namely persons (A-1) **Prasanna Kumar Roy, (A-2) Chandan Mondal, (A-3) Santi Prasad Sinha**, **(A-4) Samarjit Acharya**, **(A-5) Ashok Kumar Saha, (A-6) Saumitra Sarkar, (A-7) Kalyanmoy Ganguly, (A-8) Subires Bhattacharyaa, (A-9) Smt. Parna Bose, (A-10) M/s NYSA Communications Pvt. Ltd., (A-11) Niladri Das, (A-12) Puneet Kumar, (A-13) Pankaj Bansal, (A-14) Anoy Saha, (A-15) Subrata Samanta, (A-16) Santu Das, (A-17) Pradip Singh, (A-18) Smt. Kajal Soni Roy, (A-19) M/s Shree Durga Dealcom Pvt. Ltd.** and (A-20) **M/s ND Infosystems Ptv. Ltd.** is TAKEN.

Office is directed to note in the Register at once.

On perusal of the case record it transpires that the accused persons (A-1) **Prasanna Kumar Roy and (A-2) Chandan Mondal** are in judicial custody in this case.

The Complainant is directed to supply copy of the complaint filed today to the accused persons (A-1) **Prasanna Kumar Roy and (A-2) Chandan Mondal.**

Accordingly, issue summons upon the accused persons namely (A-3) to (A-20) in usual manner as well as through Speed Post with A/D.

Complainant is directed to put in requisites at once for service of summon upon the accused persons.

Fix **01.02.2025** for S/R, A/D and appearance.

To-date i.e. on 01.02.2025 for production of the accused person namely (A-1) **Prasanna Kumar Roy and (A-2) Chandan Mondal** before this Court from J.C. in virtual mode.

Let a copy of this order be sent to the complainant for ED through the Ld. Special P.P. for information and necessary action.

D/C by me.

Sd./-

Chief Judge
City Sessions Court, Calcutta

Chief Judge
City Sessions Court, Calcutta