

M. L. CASE NO.09 OF 2024
CNR NO.WBCS01-000842-2024

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

Order No.29 dated 28.07.2025

Today is fixed for production and appearance of the accused persons and hearing of the petition dated 07.03.2025 u/s 305 of the Cr.P.C in respect of the accused no.20) **M/s ND Infosystem Pvt. Ltd.**

Today is also fixed for hearing of the petition dated 23.06.2025 filed on behalf of the accused/company no. 10) M/s NYSA Communications Pvt. Ltd.

The accused persons namely (A-1) **Prasanna Kumar Roy** and (A-2) **Chandan Mondal**, are produced before this Court from the J.C in virtual mode.

The accused persons namely (A-3) **Santi Prasad Sinha**, (A-5) **Ashok Kumar Saha**, (A-7) **Kalyanmoy Ganguly** and (A-8) **Subires Bhattacharyya** who are on court bail in connection with this case are produced before this Court from the J.C in virtual mode as these accused persons are detained in another case.

The accused person namely (A-5) **Ashok Kumar Saha** who is granted bail in connection with this case is produced before this Court from the J.C in virtual mode as the accused person has not yet availed the bail.

Ld. Special P.P for the Enforcement Directorate is present.

Ld. Counsels for the accused persons are present before this Court.

Ld. Counsel appointed from LADCS, Kolkata for the accused person namely (A-3) **Santi Prasad Sinha** is present by filing hazira.

The accused persons namely (A-4) **Samarjit Acharya**, (A-6) **Saumitra Sarkar**, (A-9) **Smt. Parna Bose**, (A-11) **Niladri Das**, (A-13) **Pankaj Bansal**, (A-14) **Anoy Saha**, (A-15) **Subrata Samanta**, (A-16) **Santu Das**, (A-17) **Pradip Singh** and (A-18) **Smt. Kajal Soni Roy** appear before this Court as per summons issued by this Court and they are taken into custody.

Ld. Advocate for these accused persons files separate ten petitions praying for their bail.

Copies served.

Now, the ten bail petitions are taken up for hearing.

Ld. Advocate for the accused persons submits that the Hon'ble Court has already been liberated another accused Dr. Kalyanmoy Ganguly on bail vide C.R.M (R) 06 of 2025 dated 24.06.2025. He further submits that these accused persons are on the same footings with that accused Dr. Kalyanmoy Ganguly who has already liberated on bail by the Hon'ble High Court at Calcutta in view of the observation of the Hon'ble Supreme Court of India in the case of Tarsem Lal vs Directorate of Enforcement Jalandhar Zonal Office in 2024 SCC Online SC 971. So, he prays for mercy of this Court.

Ld. Special Public Prosecutor for Enforcement Directorate leaves the matter upon the discretion of this Court.

I have carefully perused the order of the Hon'ble Court passed in C.R.M (R) 06 of 2025 on 24.06.2025.

The operative portion of the order of the Hon'ble High Court, Calcutta passed in C.R.M (R) 06 of 2025 on 24.06.2025 runs as follows :-

“In view of the provision under Section 91 of the BNSS as well as the law laid down by the Hon’ble Supreme Court, this Court is inclined hold that the petitioner ought to be released forthwith upon execution of bond under Section 91 of the BNSS.”

In view of the Judgment of the Hon’ble Apex Court in **Tarsem Lal Vs Directorate of Enforcement Jalandhar Zonal Office** reported in **2024 SCC OnLine SC 971** vis-a-vis the order of the Hon’ble High Court, Calcutta passed in C.R.M (R) 06 of 2025 on 24.06.2025, I am inclined to allow the prayer of the accused persons, namely, **(A-4) Samarjit Acharya, (A-6) Saumitra Sarkar, (A-9) Smt. Parna Bose, (A-11) Niladri Das, (A-13) Pankaj Bansal, (A-14) Anoy Saha, (A-15) Subrata Samanta, (A-16) Santu Das, (A-17) Pradip Singh and (A-18) Smt. Kajal Soni Roy.**

So, the accused person, namely, **(A-4) Samarjit Acharya, (A-6) Saumitra Sarkar, (A-9) Smt. Parna Bose, (A-11) Niladri Das, (A-13) Pankaj Bansal, (A-14) Anoy Saha, (A-15) Subrata Samanta, (A-16) Santu Das, (A-17) Pradip Singh and (A-18) Smt. Kajal Soni Roy,** be released on furnishing bond of **Rs. 10,000/- each** with two sureties of **Rs. 5,000/- each** subject to the satisfaction of Ld. Chief Judicial Magistrate, Calcutta i.d. J/C till date i.e. on **11.08.2025** with a condition to appear before this Court on each and every date of hearing and shall not tamper with evidence or intimidate witnesses in any manner whatsoever.

To date i.e. on **11.08.2025** for appearance, if on bail.

The accused person namely (A-12) Puneet Kumar is found absent on calls.

A petition along with photocopy of medical paper has been filed on behalf of the accused person namely (A-12) Puneet Kumar praying for condoning his absence with a further prayer for an adjournment on the ground stated therein.

Heard both sides.

Prayer for an adjournment is considered and allowed with a direction upon the above named accused person to appear before this Court on the next date fixed positively i.d. necessary order.

Now, the petition u/s 305 of the Cr.P.C in respect of the accused no.20) **M/s ND Infosystem Pvt. Ltd** is taken up for hearing.

Ld. Counsel for the accused person files a photocopy of EPIC card in the name of Surojit Mishra duly attested by person who will represent the accused no.20) **M/s ND Infosystem Pvt. Ltd.** and the signature has been duly identified by the Ld. Conducting Advocate.

Heard both sides.

The accused no.20) **M/s ND Infosystem Pvt. Ltd** is a company incorporated under the companies Act. The accused no.20) **M/s ND Infosystem Pvt. Ltd** being private limited company permitted to represent through Surojit Mishra.

Perused the extract copy of the Board resolution dated 25.02.2025.

Considered. The prayer is allowed for ends of justice.

Accordingly accused no.20) **M/s ND Infosystem Pvt. Ltd** is permitted to represent through Surojit Mishra.

In view of above the petition u/s 305 of the Cr.P.C is disposed of.

Now, the petition dated 23.06.2025 filed on behalf of the accused/company no. 10) **M/s NYSA Communications Pvt. Ltd.** is taken up for hearing.

At this juncture, Ld. Counsel for the accused/company no. 10) **M/s NYSA Communications Pvt. Ltd.** prays for an adjournment on the ground stated therein.

Heard both sides.

Prayer for an adjournment is considered and allowed.

Ld. Advocate for the accused person namely Dr. Kalyanmoy Ganguly by filing a petition prays for allowing the accused/petitioner to appear before this Court in virtual mode on the ground stated therein.

Heard both sides.

The Superintendent of Presidency Correctional Home is directed to take necessary steps to ensure production of the accused/petitioner namely Dr. Kalyanmoy Ganguly who is on Court Bail in this case before this Court in virtual mode.

No step is taken on behalf of the accused/company no. 19 M/s Shree Durga Dealcom Pvt. Ltd.

It appears from the case record that on 07.03.2025 Ld. Advocate for the accused/company no. 19 M/s Shree Durga Dealcom Pvt. Ltd files a petition for undertaking to file vakalatnama in respect of the said accused/company but no step was taken on 22.05.2025 and 23.06.2025 and also today no step is taken on behalf of the said accused/company.

So, Ld. Advocate for the accused/company no. 19 M/s Shree Durga Dealcom Pvt. Ltd is directed to take steps on the next date fixed otherwise necessary order will be passed in accordance with law.

Prosecution/Enforcement Directorate is also directed to take necessary steps in respect of the accused/company no. 19 M/s Shree Durga Dealcom Pvt. Ltd.

Fix **11.08.2025** for production of the accused persons namely (A-1) **Prasanna Kumar Roy and (A-2) Chandan Mondal from J.C.**

To-date i.e. on **11.08.2025** for production of the accused persons namely (A-3) **Santi Prasad Sinha, (A-7) Kalyanmoy Ganguly** and (A-8) **Subires Bhattacharyya** who are on Court bail in connection with this case.

To-date i.e. on **11.08.2025** for production of the accused person (A-5) Ashok Kumar Saha, if bail bond is not furnished.

To-date i.e. on **11.08.2025** for hearing of the petition dated 23.06.2025 filed on behalf of the accused/company no. 10) M/s NYSA Communications Pvt. Ltd.

The accused persons namely (A-1), (A-2), (A-3), (A-5), (A-7) and (A-8) are remanded to J.C till date.

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

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

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

D/C by me

Sd/-

Chief Judge
City Sessions Court, Calcutta

Sd/-

Chief Judge
City Sessions Court, Calcutta