

ML Case no. 12 of 2024
CNR-WBCS01-001058-2024
Present: Sri Sudipta Kumar De
J.O. CODE NO.WB01136
Chief Judge,
City Sessions Court, Calcutta

Order no. 86 dated 23.06.2026

Today is fixed for hearing of the petition dated 19.06.2025 filed on behalf of the complainant/Enforcement Directorate and written objection, if any, in the meantime.

Hazira has been filed on behalf of the complainant/Enforcement Directorate.

Ld. Special Public Prosecutor representing the Enforcement Directorate is present.

Ld. Advocates representing accused Sanjay Kr. Surekha are also present.

Now, the record is taken up for hearing.

Ld. Special Public Prosecutor submitted that pursuant to Order No. 80 dated 20.05.2026 the accused Sanjay Kr. Surekha was admitted to Belle Vue Clinic, Kolkata and, in compliance with Order No. 81 dated 03.06.2026, a Medical Board constituted by IPGME&R-SSKM examined him and submitted its report dated 16.06.2026 which opines that the accused's current condition does not require continued hospitalization and accordingly, the medical basis for his admission no longer exists. He prayed that the accused should be discharged forthwith from Bellevue Hospital and remanded to judicial custody at Presidency Correctional Home.

Filing written objection, Ld. Advocate for accused raised objection against the prayer of the complainant and submitted that the Enforcement Directorate's application is misconceived and premature, founded on a selective reading of the medical records. He further submitted that the accused was initially admitted to Belle Vue Clinic on 11.04.2026 under specialist care and discharged on 26.04.2026 after multiple diagnostic procedures, during which life-threatening signs were found and subsequently when his condition again deteriorated, he was re-examined at Belle Vue by a neurologist who diagnosed a serious neurological condition and advised some investigations which are not available at government hospitals and he was thereafter readmitted to Belle Vue for specialised treatment and evaluation.

He further contended that although a Court-appointed medical board later examined the accused once for assessment, the accused was never placed under that board's care, nor were any treatments prescribed or therapeutic interventions undertaken by them and the board did not have access to the treating team's medical history and that its conclusions are based on a limited evaluation and cannot prevail over the sustained opinions of the treating specialists who continuously monitored, diagnosed and treated the accused and the report does not show recovery or that specialised treatment is no longer required. He, therefore, prayed that the complainant's prayer be rejected and that a report be called for from the treating doctors of Belle Vue Clinic.

Heard both sides at length.

Perused the entire case record.

Considered.

Upon perusal of the record, it appears that the accused was admitted to Belle Vue Clinic pursuant to an earlier order of this Court solely for the purpose of receiving medical treatment and specialised evaluation.

It further appears that, in compliance with the subsequent order of this Court, a Medical Board was constituted to assess the present medical condition of the accused and the said Board, after examining the accused and considering the relevant clinical materials, submitted a report dated 16.06.2026 which clearly indicates that necessity of continued hospitalization is not presently required and hence, basing upon such, this Court is of the view that the medical basis on which the accused had earlier been permitted to remain admitted at Belle Vue Clinic no longer survives.

Hence, the accused Sanjay Kr. Sureka is therefore directed to be discharged forthwith from Belle Vue Clinic, Kolkata, under proper escort and in accordance with law, and be remanded back to judicial custody at Presidency Correctional Home. The Authority of Belle Vue Clinic shall ensure immediate discharge of the accused and hand him over to the Presidency Correctional Home Authority.

The Superintendent, Presidency Correctional Home is directed to act in accordance with law in this regard and also submit a report by the next date fixed positively.

To date, i.e., **30.06.2026** for production of accused Sanjay Kr. Sureka from the J/C.

Inform Superintendent, Presidency Correctional Home.

Inform the Belle Vue Clinic, Kolkata.

Inform the Investigating Officer through the Ld. Special Public Prosecutor.

Dictated & corrected by me,

Chief Judge
City Sessions Court, Calcutta.

Chief Judge
City Sessions Court, Calcutta.