

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION
APPELLATE SIDE**

PRESENT:

THE HON'BLE JUSTICE TIRTHANKAR GHOSH

CRR 1348 of 2020

With

CRAN 1 of 2020

Neha Kajaria

-Vs.-

The State of West Bengal & Anr.

For the petitioner	:	Mr. Ayan Bhattacharjee, Mr. Indrajit Adhikari, Mr. Sharequl Haque, Mr. Md. Zohaib Rauf, Mr. Aditya Ratan Tiwary, Mr. Amitabrata Hait, Mr. Suman Majumder.
For the State	:	Mr. Saswata Gopal Mukherjee, Ld. P.P., Mr. Sudip Ghosh, Mr. Apurba Kumar Dutta, Mr. Bitasok Banerjee.
Heard on	:	02.07.2021, 06.07.2021, 12.07.2021, 19.07.2021, 26.07.2021, 28.07.2021, 30.07.2021, 02.08.2021, 06.08.2021, 13.08.2021, 27.08.2021, 14.09.2021, 29.11.2021, 24.12.2021, 17.01.2022, 19.01.2022, 17.01.2022, 09.02.2022, 17.02.2022, 18.02.2022, 28.02.2022, & 03.03.2022.
Judgment on	:	24.03.2022

Tirthankar Ghosh, J:-

The present revisional application has been preferred for de-freezing three bank accounts of the petitioner being (i) A/c No. 02401000132198 maintained with HDFC Bank, Worli-Sandoz House, Dr. A.B. Road, Worli, Mumbai 400018; (ii) SB A/c No. 06931000022753 maintained with HDFC Bank, Park Street Branch, Kolkata; (iii) SB A/c No. 083100710400225 maintained with Tamilnad Mercantile Bank, N.S. Road Branch, Kolkata and (iv) DP Account being DP A/c No. 38240146 (DP Id No. IN301549) maintained with HDFC Bank which was seized in connection with Ballygunge Police Station Case No. 27 dated March 1, 2019 under Sections 420/406/467/468/471/477A/120B of the Indian Penal Code.

Pursuant to the application being heard, a report was called for through the Investigating Officer of the case and the said Officer filed a report dated 1st March, 2022 before this Court. The report, *inter alia*, contends that the complicity of the petitioner, namely, Neha Kajaria is to the extent of Rs. 8,28,300/- (Rupees Eight Lakh Twenty Eight Thousand and Three Hundred only) which was the alleged amount paid for purchase of 27,610 shares of M/s. Shishir Exports Pvt. Ltd. vide cheque No. 004854 drawn on HDFC Bank Ltd., Stephen House Bank, Kolkata and credited to the bank account of Neha Kajaria in the respective accounts. The report also reflects that except above mentioned amount no other amount was credited to the bank account of Neha Kajaria.

In view of the report, I am of the opinion that the petitioner would ensure a sum of Rs. 8,28,300/- (Rupees Eight Lakh Twenty Eight Thousand and Three Hundred only) by way of fixed deposit, which would be attached for the purposes of this case and thereafter she may be allowed to operate her accounts.

Accordingly, liberty is granted to the petitioner to take out an application before the learned Magistrate in seisin of the instant case by providing documents relating to bank accounts being (i) A/c No. 02401000132198 maintained with HDFC Bank, Worli-Sandoz House, Dr. A.B. Road, Worli, Mumbai 400018; (ii) SB A/c No. 06931000022753 maintained with HDFC Bank, Park Street Branch, Kolkata; (iii) SB A/c No. 083100710400225 maintained with Tamilnad Mercantile Bank, N.S. Road Branch, Kolkata and (iv) DP Account being DP A/c No. 38240146 (DP Id No. IN301549). The learned Magistrate will assess only to the limited extent as to whether the petitioner happens to be the account holder in the said account and after ensuring the aforesaid sum of Rs.8,28,300/- (Rupees Eight Lakh Twenty Eight Thousand and Three Hundred only), which would be attached for the purposes of this case, would allow the petitioner to operate the aforesaid accounts.

The revisional application being CRR 1348 of 2020 is, thus, disposed of.

Pending application, if any, is consequently disposed of.

All parties shall act on the server copy of this judgment duly downloaded from the official website of this Court.

Urgent Xerox certified photocopy of this judgment, if applied for, be given to the parties upon compliance of the requisite formalities.

(Tirthankar Ghosh, J.)