

26.07.2023

Item No.345

Ct.No.34

dc./gsd.

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

C.R.R. 2356 of 2023

**Central Bureau of Investigation (CBI)
versus
Nilesh Parekh alias Nillesh Parrekh**

In Re: An Application under Section 401 of the Code of Criminal Procedure filed in connection with RCBSK2016E0005 dated 12.07.2016.

Mr. Kallol Mondal,
Mr. Manabendranath Bandyopadhyay
... For the CBI/Petitioner.

Mr. Sabyasachi Banerjee,
Mr. Ayan Bhattacharjee,
Ms. Sutapa Sanyal,
Mr. Satadru Lahiri,
Mr. B. N. Joshi,
Mr. Amit Agarwalla,
Ms. P. Garain ... For the Opposite Party.

In view of the order under challenge being dated 09.06.2023 passed by learned Judge, Special (CBI) Court No.2, Bichar Bhawan, Calcutta in connection with RCBSK2016E0005 dated 12.07.2016 subsequently renumbered as RC No. 05/2016, I find that the same is covered by the reasons so assigned in CRR 2328 of 2023 as the order so passed was unwarranted in the background of the application.

Mr. Mondal, learned advocate appearing for the CBI has also tried to emphasise on the affidavit filed by the learned Public Prosecutor. Be that as it may, I have already assigned reasons in CRR 2328 of 2023 expressing that the accused/opposite party has failed to instil confidence of the court by his conduct to travel abroad and the same reasons are applicable in the present case also. Consequently the

order dated 09.06.2023 passed by the learned Judge, Special (CBI) Court No.2, Bichar Bhawan, Calcutta in connection with RC No. 05/2016 corresponding to RCBSK2016E0005 dated 12.07.2016 is hereby set aside.

Accordingly, the revisional application being CRR 2356 of 2023 is allowed.

Pending connected application, if any, is consequently disposed of.

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

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)