

06 22.09.2023
NB Ct. 14

WPA 19409 of 2023

Prakash Chandra Das
Vs.
The Special Director Enforcement
Directorate Eastern Region & Ors.

Mr. Rajib Kumar Kundu.
...for the petitioner.

Ms. Debjani Ray.
...for the ED.

A report filed on behalf of the Enforcement Directorate is taken on record.

A copy of the same is handed over to the learned counsel for the petitioner.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is a 65 years old man suffering from chronic heart disease. The Enforcement Directorate had been harassing the petitioner by sending unnecessary summons. They are always asking from him to produce copy of the order from the High Court. Necessary protection may be granted in this regard.

Learned counsel appearing on behalf of the Enforcement Directorate submits as follows. The petitioner is an accused under the PML Act. In all, four summonses were issued to him. The first summons evoked 'no response'. In response to the second summons, the petitioner submitted that his application for anticipatory bail was pending, but quoted a wrong number for the application. The third summons returned unserved with the endorsement 'left'. In response to the fourth summons, it

was again stated that an application for anticipatory bail was pending. It appears that applications for bail filed by the petitioner earlier being CRM No.3009 of 2021 and CRM 8390 of 2021 have been dismissed.

At this stage, learned counsel appearing on behalf of the petitioner submits that another application for anticipatory bail being CRM 3390 of 2021 is now pending before this Court.

It appears that the petitioner has been made an accused in the case under the PML Act.

No illegality is alleged or found in the notice issuing summons.

Therefore, the petitioner cannot claim that by issuing summons to an accused, the Enforcement Directorate has harassed him.

In any event, an application for anticipatory bail is purportedly pending.

As such, I do not find any merit in the writ petition. Accordingly, the same is disposed of without any costs.

Urgent photostat certified copy of the order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)