

09.05.2024

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IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR No. 593 of 2024

Sk. Jasim Hossain & Anr.

Versus

Central Bureau of Investigation & Anr.

Mr. Bikash Halder

...for the Petitioners.

The order dated August 4, 2023 passed by the learned Chief Judicial Magistrate, North 24-Parganas is pursuant to the direction of the Hon'ble High Court, Calcutta *vide* letter No.571-RG dated 31.01.2023, resulting in the records sent to the learned ACMM-II, Calcutta where date was fixed on 22.11.2023.

Learned ACMM-II, Calcutta passed his order regarding receipt of the original case records and thereafter issued process for appearance on 7th of February, 2024.

Grievance of the petitioner is that the case was initiated in year 2014 and the evidence of the case has already commenced. Number of witnesses has already examined. The sections for which the petitioners were being tried reflect that apart from offences relating to Indian Penal Code, there were offences under the provisions of The Prize, Chits and Money Circulation Schemes (Banning) Act, 1978.

As such, the case falls under the category of ponzi scheme which is a determination of a Division Bench of the Hon'ble High Court. If a letter has been issued pursuant to the order passed by the Hon'ble Division Bench and the said order has remained unchallenged before any higher forum, the learned Chief Judicial Magistrate, North 24-Parganas was bound to obey the same.

I do not find any illegality in the order passed by the learned Chief Judicial Magistrate, North 24-Parganas or with that of the learned ACMM-II, Calcutta. As such there is no scope for interference on the issues canvassed by the learned Advocate appearing for the petitioners.

Thus, the present revisional application being CRR 593 of 2024 is dismissed.

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.)