

19.07.2024
Sl. No.9
akd
[ALLOWED]

C. R. M. (DB) 1506 of 2024 [ASSIGNED]

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 03.05.2024 in connection with Hare Street Police Station Case No.70 of 2023 dated 10.03.2023 under Sections 120B/420/465/467/468/471/474/475/477A of the Indian Penal Code. (G.R. (S) Case No.285 of 2023)

And

In Re: **Manmeet Kaur**
... .. Petitioner

Md. Sahajahan Hussain
Mr. Aniruddha Mitra
Md. Saddam Hussain
... .. for the petitioner

Mr. Debasish Roy .. Id. Public Prosecutor
Mr. Rudradipta Nandy .. Id. Addl. Public Prosecutor
Mr. Shiladitya Banerjee
... .. for the State

Mr. Dhiraj Trivedi .. Id. Dy. Solicitor General of India
Mr. Arijit Chakrabarti
... .. for the ED

1. It is submitted on behalf of the petitioner that she is in custody for about 447 days. It is further submitted petitioner has been falsely implicated and was not aware of the nature of the transactions undertaken by the company run by co-accused viz. Proloy Das. Other co-accused have been enlarged on bail. Accordingly, she renews her prayer for bail.
2. Learned Additional Public Prosecutor opposes the prayer for bail and submits petitioner conspired with co-accused and actively participated in opening fictitious accounts in Jammu & Kashmir bank and laundered a large sum of money outside India. Proloy Das, one of the main architects of the crime is still absconding.
3. We have considered the materials on record. Allegations involve a conspiracy between the petitioner and other accused to open

fictitious accounts in a nationalized bank and illegal laundering of money through those accounts to foreign shores. Noticing the profile of the allegation which also attracts offences under PMLA Act, prayer for bail of the petitioner was rejected earlier and notice was issued upon the Enforcement Directorate. *Suo motu* notice to cancel bail granted to co-accused was also issued. Enforcement Directorate has entered appearance and submitted report in the *suo motu* rule that custodial interrogation of the accused is not necessary at present. Petitioner is in custody for a considerable period of time and has been subjected to custodial interrogation by State police. *Suo motu* rule against bail orders of co-accused has been discharged. Some other accused are absconding and there is no possibility of commencement of trial. Offences, even if proved, would not attract mandatory life imprisonment.

4. In view of the aforesaid circumstances, we are of the opinion further detention of the accused/petitioner is not necessary and she may be enlarged on bail however, subject to strict conditions.
5. Therefore, the accused/petitioner, namely **Manmeet Kaur**, be released on bail upon furnishing a bond of Rs.25,000/- (Rupees Twenty-five thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned 17th Judicial Magistrate, Bankshal Court, Calcutta subject to condition that the said petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever and on further condition that the petitioner, while on bail, shall provide the address where she shall presently reside to the Enforcement Directorate as well as the State Investigating Agency and shall report to the

Enforcement Directorate as well as the Investigating Agency as and when necessary until further orders for the purpose of investigation. Prior to her release, she shall deposit her passport before the learned Magistrate.

6. In the event she fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel her bail automatically without reference to this court.
7. The application for bail, thus, stands allowed.

(Biswaroop Chowdhury, J.)

(Joymalya Bagchi, J.)