

C.Case No. 249/2019

CBI Vs Naresh Kumar Gupta & Ors.

31.08.2020

Present: Sh.B.K.Singh, Ld.Sr.PP for CBI.

A-1 Sh.Naresh Kumar Gupta, A-2 Sh.Mata Din Gupta, A-3 Sh.Rajesh Kumar Bhambi, A-4 Sh.Amit Dabas and A-5 Sh.Vilas Rao Godeshwar in person with Ld. Counsels Dr.A.K.Gautam, Sh.Ravi Mehrotra, Ms.Ankita Gautam and Sh.Harish Gautam.

A-6 Sh.Vibhuti Thakur in person alongwith Sh.J.N.Patel, Ld. Counsel for A-6 and A-7.

(Through VC using Cisco WebEx app.)

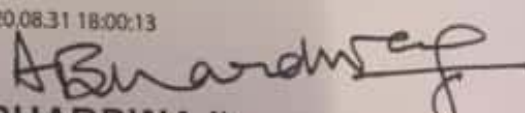
Sh.J.N.Patel, Ld. Counsel for A-6 and A-7 has filed certain citations in support of his submissions addressed on the application filed by him for discharge of accused. Copy be supplied to Ld.Sr.PP for CBI.

List for consideration of further submissions of Ld Sr PP for CBI in this regard, if any, on 28.09.2020 at 11.00 A.M.

Let a copy of this order be sent by WhatsApp to Ld. Sr.PP for CBI, all the accused as well as the learned counsels for the accused.

ARUN
BHARDWAJ

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Date: 2020.08.31 18:00:13
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(ARUN BHARDWAJ)
Special Judge, CBI-05 (PC Act),
RADDC, New Delhi/ 31.08.2020

Complaint Case No.1/2020

ED Versus Bhushan Power Pvt Ltd and ors.

Present: Shri Nitesh Rana learned Spl PP for ED.

None for Accused No. 1 Company.

All the Accused with their learned counsels.

(THROUGH VC USING CISCO WEBEX)

The learned counsels representing Accused No. 12, 13, 15, 17, 19 and 23 have been given the mobile No. as well as email ID of Shri Nitesh Rana learned Special PP for ED and shall provide their email ids to the learned Special PP for ED during the course of the day so that the replies to the bail applications can be delivered to them online.

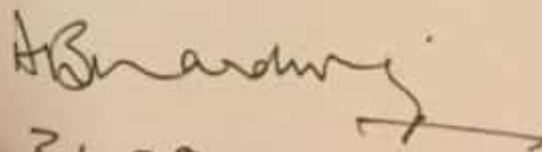
The learned Special PP for ED also submitted that he will also take steps to place on record replies to the application of bail of Accused No. 4, 6, 13, 15 and 17.

Shri Vijay Aggarwal learned counsel for accused No. 3,4,5 and 6 addressed arguments on their bail applications and also submitted a compilation of judgements in support of his arguments.

Shri Faraz Maqbool learned counsel for accused No. 7 also addressed arguments on the bail application of the accused ~~are~~ represented by him. He requested that he will be submitting compilation of the judgements relied upon by him for the consideration of this court.

Dr Anuraag Aggarwal learned Counsel addressed arguments on behalf of Accused No. 8, 9, 10 and 11 and relied on Mohd. Ibrahim 2009 (8) SCC 751 and Sanjay Chandra 2012 (1) SCC40 and submitted that the judgements will be supplied for the consideration of this court.

Arguments were also addressed on behalf of Accused No. 14, 18, 24 and 25 by Shri Hemant Shah learned counsel.



31.08.2020

Arguments were also addressed by Shri V.K. Sharma learned counsel for Accused No. 16 Shri Himanshu Verma. Reliance is placed on Sanjay Chandra, DK Basu, Yoginder Kumar versus State of UP.

Sh. K.K. Baid learned counsel for Accused No. 20 also addressed arguments.

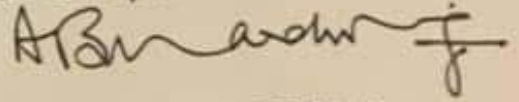
On behalf of Accused No. 21 Sh. Suresh Gupta, arguments were addressed by Shri A.K. Patra learned counsel.

Part arguments addressed by Shri Nitesh Rana Learned Special PP for ED who submitted that the two judgements of the Hon'ble Delhi High Court holding that the twin conditions of Section 45 of PML Act, 2002 have not revived have been stayed by the Hon'ble Supreme Court.

List now on 18th September 2020 at 11 AM for concluding the arguments by Shri Nitesh Rana learned Special PP for ED as well as arguments of learned counsels of the other accused.

Interim orders to continue till further orders.

Let a copy of this order be sent by WhatsApp to learned Special PP for ED, all the accused persons and their learned counsels.



(ARUN BHARDWAJ)
Special Judge (PC Act)
(CBI-5), Rouse Avenue
District Court, New
Delhi:31.08.2020

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