

CC No. : 01/2015
ECR No. : DLZO/15/2014/AD(VM)
U/S : 3 & 4 of PMLA Act
Directorate of Enforcement Vs. Gautam Khaitan & Ors.

Sh. ARVIND KUMAR
Special Judge (PC Act), CBI-10
Room No. 503, Rouse Avenue Court Complex,
Deen Dayal Upadhyay Marg, New Delhi

25.06.2020

Matter is taken up today and the proceedings are conducted through Video Conferencing (Cisco webex) as per directions of Hon'ble High Court issued vide Circular No.16/DHC/2020 dated 13.06.2020 in view of the pandemic Covid-19.

Present: Sh. N.K. Matta, Ld. SPP for ED.
Sh. P.K. Dubey, Sh. Ram Aditya Tiwari and Sh. Saurabh Verma, Ld. Counsels for accused no.1 Gautam Khaitan and accused no. 2 Ritu Khaitan in person.
None for accused no. 3 Gerosa Carlo Valentino Fernando.
None for accused no. 4 Guido Ralph Haschke.
None for accused no. 5 M/s Aeromatrix Info Solution Ltd.
None for accused no. 6 M/s Windsor Group Holdings Ltd.
None for accused no. 7 M/s Ismax International Ltd.
None for accused no. 8 M/s Cricklewood Ltd.
None for accused no. 9 M/s Long Lasting Ltd.
Sh. Rajat Manchanda, Ld. Counsel for accused no. 10, Shivani Rajiv Saxena.
(Accused no. 10 Shivani Rajiv Saxena in person through video conferencing from Dubai).
None for accused no. 11 M/s Matrix Holding Pt. Ltd., Dubai
None for accused no. 12 M/s UHY Saxena Dubai.
Sh. Rajat Manchanda for accused no. 13, Rajiv Saxena.
None for accused no. 14 M/s Interstellar Technologies Ltd., Mauritius.
None for accused no. 15 M/s O.P. Khaitan & Co..
None for accused no. 16 M/s International Mediterranean Consulting Sarl, Tunisia.
None for accused no. 17 M/s IDS Information Technology and Engineering, SARL, Tunisia.
None for accused no. 18 M/s Infotech Design Systems Ltd., Mauritius.
None for accused no. 19 M/s Gordian Services SARL, Tunisia.



(Handwritten signature)

Sh. ARVIND KUMAR
Special Judge (PC Act), CBI-10
Room No. 503, Rouse Avenue Court Complex.

Sh. Manav Gupta, Ld. Counsel for accused no. 20 Sanjeev Tyagi,
accused no. 21 Rajeev Tyagi and accused no. 22 Sandeep Tyagi.
Sh. Nikhil Pillai, Ld. Counsel for accused no. 23 S.P.Tyagi.
Sh. Manav Gupta, Ld. Counsel for accused no.24 to 30.
Accused no. 24 is company M/s Krishnayan, represented
through accused Rajiv Tyagi.
Accused no. 25 is company M/s Krishneel, represented
through accused Rajiv Tyagi.
Accused no. 26 is company M/s Tyagi Ishan, represented
through Rajiv Tyagi.
Accused no. 27 is company M/s Krishanmaye, represented
through Rajiv Tyagi and Sanjeev Tyagi.
Accused no. 28 is company M/s Krishnom, represented
through Sandeep Tyagi, Rajiv Tyagi and S. P.Tyagi.
Accused no. 29 is company M/s Neel Madhav Consultants
Pvt. Ltd., represented through Sandeep Tyagi, Rajiv Tyagi
and Sanjeev Tyagi.
Accused no.30 is M/s Mainak Agencies Pvt. Ltd.,
represented through Sandeep Tyagi.
None for accused no. 31 Bruno Spagnolini.
None for accused no. 32 Giuseppe Orsi.
None for accused no. 33 M/s Agusta Westland
International Limited, UK (AWIL).
None for accused no. 34 M/s Finmeccanica SPA.
None for accused no. 35 Christian Michel James .
Accused Christian Michel James is in JC).
None for accused no. 36 M/s Media Exim Pvt. Ltd., a company,
represented by accused no. 37 R.K. Nanda.
None for accused no. 37, R.K.Nanda.
None for accused no. 38 J. B. Subramaniam.
None for accused no. 39 David Nigel John Syms.
None for accused no.40 M/s Global Services FZE, UAE.
None for accused no.41 M/s. Global Trade and Commerce
Limited.
Sh.Siddharth Aggarwal, Ld. Counsel for accused no. 42,
Sushen Mohan Gupta, accused no.43,M/s DM South India
Hospitality Limited and accused no.44, M/s American Hotel &
Restaurant (P) Ltd.
Sh. Vijay Aggarwal and sh. Ayush Jindal, Ld. Counsels for
Accused no.45 Ratul Puri with Ratul Puri
None for accused no.46 Jaspreet Ahuja.



Ld. Counsel for accused no. 1, Gautam Khaitan submitted that
surety of accused has furnished an FDR of Rs. 10 Lakh. He further submitted

(Signature)

Sh. ARVIND KUMAR
Special Judge (PC Act), CBI-10
Room No. 503, Rouse Avenue Court Complex,
Dean Dayal Upadhyay Marg, New Delhi

that he got renewed the said FDR and shall be placing on record the slip of renewal of FDR.

Ld. Counsel for ED submitted that accused no. 3 is aware of the case and the Federal Prosecutor Office, Bern, Switzerland has received intimation from Lawyer Sh. Fillppo Ferrari Carta that he will not be able to collect the documents until 25.03.2020 and further accused no. 4, Guido Ralph Haschke has intimated that he is in quarantine due to Covid-19 emergency and will not be appearing until 25.03.2020.

With regard to accused no. 5, M/s Aeromatrix Info Solution Ltd., Ld. Counsel for ED submitted that the summons were affixed on the last know address of the said Company in India and accused Gautam Khaitan has refused to receive the summons.

At this stage Ld. Counsel Sh. P.K.Dubey submitted that he has already informed to the ED that accused Gautam Khaitan has nothing to do with the said Company and is not related to the said Company.

On the other hand, Ld. Counsel for ED submitted the aforesaid Company existed at B-1, Defence Colony, New Delhi at this address, hence, summons were pasted on the last know address. Ld counsel for ED also submitted that summons have also been sent through MHA to be served to said company through Carlo Gerosa and Guido Haschke and similar report as received regarding summons sent to accused no. 3 and 4, have been received.

With regard to accused no. 6, M/s Windsor Group Holdings Ltd. and accused no. 7, M/s Ismax International Ltd., service reports are awaited. In the mean time, issue fresh summons to accused no. 6 and accused no. 7.



[Handwritten signature]

Sh. ARVIND KUMAR
Special Judge (PC Act), CBI-10
Room No. 503, Rouse Avenue Court Complex
Deen Dayal Upadhyay Marg, New Delhi

With regard to accused no. 8 M/s Cricklewood Ltd, the summons sent through MHA are still awaited. Issue fresh summons to accused no. 8. Ld. Counsel for ED submitted that the said Company has been served through accused no. 3 Gerosa Carlo Valentino Fernando.

With regard to accused no. 9 M/s Long Lasting Ltd., it is submitted that the summons report through MHA is still awaited. Fresh summons be issued to accused no. 9. Ld. SPP for CBI submitted that however the Company has been served through accused no. 4, Guido Ralph Haschke.

With regard to accused no. 11 and accused no. 12, Ld. Counsel for ED submitted that the summons were served through Rajiv Saxena. Ld. SPP for ED submitted that summons sent to accused no. 11 and accused no. 12 through MHA are still awaited. Let fresh summons be issued through MHA to be served on accused no. 11 and accused no. 12.

Sh. Rajat Manachanda, Ld. Counsel for accused submits that he will seek instructions from his client Rajiv Saxena if he has to appear for accused no. 11 and 12.

Ld., Counsel for accused no. 13, Rajiv Saxena submits that the name of Rajiv Saxena should be deleted from the array of the parties as he is no more accused in the present case and has been granted the status of

approver.

On the other hand, Ld. Counsel for ED submitted that the pardon has been granted to accused no. 13 subject to certain conditions and till his evidence is recorded, his name cannot be deleted from the array of parties.



[Handwritten signature]

Sh. ARVIND KUMAR
Special Judge (PC Act), CBI-10
Room No. 503, Rouse Avenue Court Complex,
Dean Dayal Upadhyay Marg, New Delhi

Both the parties submit that they want to make submissions on this point and some date may be fixed for this purpose.

Put up on 29.07.2020 for arguments as to whether the name of accused no. 13, Rajiv Saxena should be deleted from the array of parties. It is made clear that no other accused is required to be present on 29.07.2020.

With regard to accused no. 14, M/s Interstellar Technologies Ltd., Mauritius, Ld. Counsel for ED submitted that report regarding summons is still awaited. Issue fresh summons to accused no. 14.

Accused no. 15 has not been served. Issue fresh summons to accused no. 15.

Report regarding summons sent through MHA to accused no. 16 is still awaited. Issue fresh summons to accused no. 16.

Ld. SPP for ED submits that the report on summons sent through MHA to accused no. 17 M/s IDS Information Technology is still awaited. Fresh summons be issued to accused no. 17.

It is submitted by Ld. Counsel for ED that summons sent to accused no. 18, M/s Infotech Design Systems Ltd., Mauritius was, however, served on accused no. 3 Gerosa Carlo Valentino Fernando and accused no. 4 Guido Ralph Haschke. Ld. Counsel for ED submits that fresh summons may be

issued as summons sent through MHA to said company has not been received

Issue fresh summons to accused no. 18.

Ld. Counsel for ED submitted that report regarding accused no. 19, M/s



Sh. ARVIND KUMAR
Special Judge (PC Act), CBI-10
Room No. 503, Rouse Avenue Court Complex
Dear Dayal Upadhyay Sir,

Gordian services Sarl, Tunisia sent through MHA is still awaited. It, however, further submitted that summons sent to accused no. 4 Guido Ralph Haschke were served. Issue fresh summons to the said company through MHA.

Ld. Counsel for ED submitted that summons sent to accused no. 31 and accused 32 have not been received back. Issue fresh summons to accused no. 31 and 32.

Ld. Counsel for ED submitted that accused no. 33 is Company and has been served at the address at Nehru Place. It is further submitted that summons sent to Switzerland have not been received back nor any report has been received. Ld. Counsel for the ED further submitted that one Anil Joshi received the summons, however he has stated that he is not authorized to appear in the ED case.

It is noted that Sh. Anil Joshi is appearing for M/s Augustwestland case in 'CBI Vs. S.P.Tyagi & Ors'.

Ld. Counsel for ED submitted that no report has been received regarding summons sent to accused no. 34. Issue fresh summons to accused no. 34.

Summons were sent to accused no. 39, however, no report has been received. Issue fresh summons to accused no. 39.

Ld. Counsel for ED submitted that summons for service of accused no. 40 and 41 were sent through MHA and the report is awaited. It is further submitted by Ld. Counsel for ED that summons issued in the name of aforesaid companies were, however, served to accused Christian Michel James who at present is in Judicial Custody. Issue fresh summons to accused no. 40 and 41 through MHA



[Handwritten signature]

Sh ARVIND KUMAR
Special Judge (PC Act), CBI-10
Room No. 503, Rouse Avenue Court Complex,
Deen Dayal Upadhyay Marg, New Delhi

Put up on 23.10.2020 for consideration.

Accused Christian Michel James be produced on the next date of hearing.

Copy of this order be sent to Jail authorities.

Signed scanned copy of this order is being sent through whatsapp to Ahlmad of this Court with direction to send the same to concerned official of District Court, RADC for uploading on official website of Delhi District Court.

The signed hard copy of the order shall be placed on record as and when the regular functioning of the Courts at Rouse Avenue Complex, New Delhi is resumed.



(Arvind Kumar)
Special Judge CBI-10
Rouse Avenue Courts
New Delhi/25.06.2020

Special Judge (PC Act) CBI-10
Room No. 503, Rouse Avenue Court Complex,
Deen Dayal Upadhyay Marg, New Delhi

RC No. : 217-2013-A-0003
Branch : CBI/AC-II/New Delhi
U/S : 120B, r/w 420 IPC and Section
7, 8, 9, 12 & 13(2) r/w 13(1) (d) of
P.C. Act, 1988
CBI Vs. S.P. Tyagi & Ors.

Sh. ARVIND KUMAR
Special Judge (PC Act), CBI-10
Room No. 503, Pouse Avenue Court Complex,
Deen Dayal Upadhyay Marg, New Delhi

25.06.2020

Matter is taken up today and the proceedings are conducted through Video Conferencing (Cisco webex) as per directions of Hon'ble High Court issued vide Circular No.16/DHC/2020 dated 13.06.2020 in view of the pandemic Covid-19.

Present : Sh. D. P. Singh, Ld. Special PP for CBI.
Sh. Siddharth Aggarwal and Sh. Nikhil Pillai, Ld.
Counsels for accused no. 1, S.P.Tyagi.
None for accused no. 2 Jaspal Singh Gujral.
Sh. Manav Gupta, Ld. Counsel for accused no. 3,
Sanjeev Tyagi.
Sh. P.K.Dubey and Sh. Madhav Khurana, Ld. Counsels
for accused no. 4, Gautam Khaitan.
None for accused no. 5, Giuseppe Orsi.
None for accused no. 6, Bruno Spangnolini.
None for accused no. 7 Guido Ralph Haschke.
None for accused no.8 Carlo Valentino Ferdinando
Gerosa.
None for accused no. 9.
Accused no. 9 Christian Michel James is in JC.
None for accused no. 10 M/s. Finmeccanica SPA
@ M/s. Leonardo SPA.
None for accused no. 11, M/s Agusta Westland International
Ltd, UK (AWIL).
None for accused no. 12, IDS Information Technology.



Ld. Counsel for accused no. 1 submits that deficient/legible copies of documents have not been supplied to them. He further submits that there are certain documents mentioned in the statements of the witnesses recorded U/S

(Handwritten signature)

Sh. ARVIND KUMAR
Special Judge (FC Act), CBI-10
Room No. 503, Rouse Avenue Court Complex,
Deen Dayal Upadhyay Marg, New Delhi

161 CrPC, however, these documents have not been filed with the charge-sheet.

Sh. D.P.Singh, Ld. SPP for CBI submits that CBI is to file a supplementary charge-sheet against twenty accused, out of which five are public servants and the sanction to prosecute qua these five public servants is still awaited. He further submits that it is the prerogative of the investigating agency to file only the documents relied upon by them and the investigating agency is not bound to file all the documents referred in statements U/s 161 CrPC, if not relied upon.

Sh. P.K.Dubey, Ld. Counsel for accused no. 4 submits that he may also be supplied with the deficient/legible copies of documents, as referred, by Ld. Counsel for accused no. 1. He further submits that he is in the process of further scrutinizing the documents and will move appropriate application, if so, needed.

Ld. SPP for CBI submits that extradition request is pending against accused no. 7 Guido Ralph Haschke and accused no.8 Carlo Valentino Ferdinando Gerosa.

Ld. SPP for CBI submits that accused no. 10, M/s. Finmeccanica SPA@ M/s. Leonardo SPA although has been served but he does not have any report regarding service of summons on accused no. 10. Issue fresh summons to accused no. 10.

There is no report regarding service of summons issued to accused no. 12. In the mean time, fresh summons be issued to accused 12. Notice be also issued to accused no. 2 and 11.

Put up on 23.10.2020 for consideration.

Accused Christian Michel James be produced on the next
date of hearing.

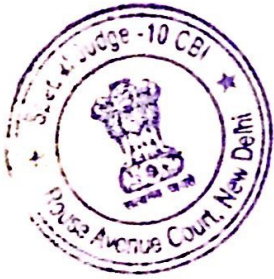



SH. ARVIND KUMAR
Special Judge (FC Act), CBI-10
Room No. 503, Rouse Avenue Court Complex
Deen Dayal Upadhyay Marg, New Delhi

Copy of this order be sent to Jail authorities.

Signed scanned copy of this order is being sent through whatsapp to Ahlmad of this Court with direction to send the same to concerned official of District Court, RADC for uploading on official website of Delhi District Court.

The signed hard copy of the order shall be placed on record as and when the regular functioning of the Courts at Rouse Avenue Complex, New Delhi is resumed.




(Arvind Kumar)
Special Judge CBI-10
Rouse Avenue Courts
New Delhi/25.06.2020
Special Judge (FC Act) CBI-10
Room No. 503, Rouse Avenue Court Complex,
Deen Dayal Upadhyay Marg, New Delhi

CC No. : 02/2013
RC No. : AC 1 2012 A 0008
Branch : CBI/ACU(II)/ND
U/S : 120B r/w 471 IPC & Sec. 13(2) r/w 13(1) (d)
PC Act, 1988
CBI Vs. Mahesh Arora etc.

Sh. ARVIND KUMAR
Special Judge (PC Act), CBI-10
Room No. 503, Rouse Avenue Court Complex,
Deen Dayal Upadhyay Marg, New Delhi

25.06.2020

Matter is taken up today and the proceedings are conducted through Video Conferencing (Cisco webex) as per directions of Hon'ble High Court issued vide Circular No.16/DHC/2020 dated 13.06.2020 in view of the pandemic Covid-19.

Present : Sh. V.K. Ojha, Ld. Sr. PP for CBI.
None for accused no. 1 to 5.
Sh. Nitin Soni and Sh. Deepjyot Singh, Ld. Counsels
for accused no. 6, M/s Tristar Enterprises.

Arguments have already been addressed by Ld. Counsels for accused persons on the point of charge.

Issue notice to Ld. Counsels for accused no. 1 to 5 for 29.08.2020.

Signed scanned copy of this order is being sent through whatsapp to Ahlmad of this Court with direction to send the same to concerned official of District Court, RADC for uploading on official website of Delhi District Court.



The signed hard copy of the order shall be placed on record and when the regular functioning of the Courts at Rouse Avenue

A handwritten signature in blue ink, appearing to be 'Rw', is written over a horizontal line.

Complex, New Delhi is resumed.

Sh. ARVIND KUMAR
Special Judge (PC Act), CBI-10
Room No. 503, Rouse Avenue Court Complex,
Deen Dayal Upadhyay Marg, New Delhi



(Arvind Kumar)
Special Judge (PC Act), CBI-10
Rouse Avenue Court
New Delhi/25.06.2020



Special Judge (PC Act) CBI-10
Room No. 503, Rouse Avenue Court Complex,
Deen Dayal Upadhyay Marg, New Delhi

CC No : 01/2015
ECIR : DLZO/15/2014/AD(VM)
U/S : 3 and 4 of PMLA Act
Directorate of Enforcement Vs. Gautam Khaitan & Ors.

Sh. ARVIND KUMAR
Special Judge (PC Act), CBI-10
Room No. 503, Rouse Avenue Court Complex,
Deen Dayal Upadhyay Marg, New Delhi

25.06.2020

Matter is taken up today and the proceedings are conducted through Video Conferencing (Cisco webex) as per directions of Hon'ble High Court issued vide Circular No.16/DHC/2020 dated 13.06.2020 in view of the pandemic Covid-19.

Present : Sh. N.K.Matta, Ld. SPP along with Sh. Manu Mishra, Ld. Counsel for Enforcement Directorate.
Sh. Aljo Joseph, Ld. Counsel for accused Christian Michel James.
Sh. O.P.Pandey, Jail Superintendent, Tihar Jail no. 1.

Sh. OP Pandey, Jail Suprintendent submits that he is filing reply to the application. He is informed that reply is to be filed at the Email Id of the court.

The Jail Superintendent, when inquired, submitted that in one case Ajay Chandra and Sanjay Chandra are permitted to have legal interview for half an hour twice a week by Hon'ble High Court. He further submitted that he wants to seek instructions from Headquarter.

Sh. O.P.Pandey further submits that there is possibility for legal interview through video conferencing, however, there is only one system with Jail Superintendent through which video conferencing is feasible.



[Handwritten signature]

Sh. ARVIND KUMAR
Special Judge (PC Act), CBI-10
Room No. 503, Rouse Avenue Court Complex,
Deen Dayal Upadhyay Marg, New Delhi

Under the facts and circumstances, the matter is adjourned
to 26.06.2020 at 3.00 pm.

Signed scanned copy of this order is being sent through whatsapp to Ahlmad of this Court with direction to send the same to concerned official of District Court, RADC for uploading on official website of Delhi District Court. Copy of this order also be sent to Jail authority

The signed hard copy of the order shall be placed on record as and when the regular functioning of the Courts at Rouse Avenue Complex, New Delhi is resumed.



(Arvind Kumar)
Special Judge CBI-10
Rouse Avenue Courts
New Delhi/25.06.2020



Special Judge (PC Act) CBI-10
Room No. 503, Rouse Avenue Court Complex,
Deen Dayal Upadhyay Marg, New Delhi