

Directorate of Enforcement vs. M/s Chintels India & Ors.

Mr. Ramesh Solomon ... (Applicant)

ECIR MNo. ECIR/01/HIU/2019 Dated 25.01.2019

U/s 3 & 4 of Prevention of Money Laundering Act, 2002

09.07.2020.

This application has been received today on assignment from the office of Ld. District & Sessions Judge, Rouse Avenue District Court, New Delhi.

Present:- Sh. Manav Gupta, Ld. Counsel for the applicant.

The hearing was conducted today at 12.50 PM through Video Conferencing on Cisco Webex Meeting Platform facilitated by Ahlmad of the Court.

Heard.

The applicant is seeking release of his FDRs which are stated to have been seized by the Directorate of Enforcement during raid in the applicant's residence on 20.08.2019.

Issue notice to the Directorate of Enforcement, which is the complainant in this case, through E-mail as well as through Whatsapp returnable on the next date. It may be mentioned in the notice that the Directorate shall file its response to the application on or before 13.07.2020 with advance copy to the Ld. Counsel for the applicant.

List on 15.07.2020.

The Ahlmad is directed to send the copy of this order to the Computer Incharge, RADC, New Delhi as well as to Sh. Vivek, PA to Ld. District & Sessions Judge, RADC, New Delhi who shall upload it on the official website of Delhi District Courts at the earliest.



(VIRENDER BHAT)
SPL. JUDGE (PC ACT): CBI-15
ROUSE AVENUE DISTRICT COURT
NEW DELHI/09.07.2020

CBI Case No. 34/2019

CBI Vs. JayaLakshmi Jaitly @ Jaya Jaitly Etc

09.07.2020.

**Present:- Sh. Neetu Singh, Ld. PP for CBI.
Ms. Nitya Ramakrishnan & Sh. Aaditya Vijay Kumar, Ld.
Counsels for A-1 alongwith A-1.
Sh. Vikram Panwar & Sh. Suyash Sinha, Ld. Counsels for A
alongwith A-2.
Sh. Shivam Sharma, Ld. Counsel for A-3 alongwith A-3.**

Hearing was conducted today at 11.30 AM through Video Conferencing on Cisco Webex Meeting Platform facilitated by Ahlmad of the Court.

Final arguments concluded today.

List for judgment on 20.07.2020.

The Ahlmad is directed to send the copy of this order to the Computer Incharge, RADDC, New Delhi who shall upload it on the official website of Delhi District Courts at the earliest.



**(VIRENDER BHAT)
SPL. JUDGE (PC ACT): CBI-15
ROUSE AVENUE DISTRICT COURT
NEW DELHI/09.07.2020**

CBI Case No. 4/2020
CBI Vs. Surrender Kumar Etc.

09.07.2020.

Present:- Mr. Neetu Singh, Ld. PP for CBI.
IO Insp. Mohan Kumar In person.
Sh. Harish Kumar Gupta, Ld. Counsel for A-1 & A-2.
Sh. Ram Lal Roy, Ld. Counsel for A-3.
Sh. Vikas Pahwa, Ld. Senior Advocate alongwith Sh.
Syed Arham Masud Ld. Counsel for A-4.

Hearing was conducted today at 10.30 AM through Video Conferencing on Cisco Webex Meeting Platform facilitated by Ahlmad of the Court.

CBI has already filed reply to the application of accused No.4 U/s 207 Cr PC. Copy of the reply has also been supplied to the Ld. Counsel for the said accused. Arguments heard on the said application.

It is submitted by Ld. Senior Counsel appearing for A-4 that the copies of the documents as mentioned on page nos. 2 & 3 of the application, which have been supplied to A-4, are totally illegible and thus their contents cannot be understood. He submits that the CBI may be directed to supply legible copies of these documents.

Ld. PP submits that the original documents have already been filed in the court alongwith the chargesheet and the photocopies which are available with the IO, cannot produce better copies than those supplied to the A-4.

In view of the submissions of the Ld. PP, Ld. Senior Counsel for A-4 submitted that he may be permitted to inspect the court file and to get legible photocopies of the documents from the court record.

Accordingly, it has been agreed that the counsel for A-4 would inspect the court file on 13.07.2020 and would take the legible photocopies of those documents from the court record.

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No further orders are called for on the said application. Hence, same is disposed off.

An application has been filed on behalf of CBI seeking permission to file on record certain documents as mentioned in Para No. 4 of the application. Copies of the documents have also been annexed alongwith the application. None of the Ld. Defence Counsels have any objection to taking on record those documents. Hence, the application is allowed and the documents filed alongwith the same are taken on record.

Another application U/s 207 Cr PC has been submitted on behalf of A-4. Let the copy of the said application be supplied to the Ld. PP who shall file his response to the same within one week from today. The application shall be heard and disposed off on the next date.

Ld. Counsels appearing for A-1, A-2 & A-3 submitted that they do not intend to file any application U/s 207 Cr PC. However, they submitted that in case the CBI is directed to supply any documents to A-4 in pursuant to his application U/s 207 Cr PC, which is still pending disposal, copies of those documents may be supplied to these three accused also.

List on 20.07.2020.

The Ahlmad is directed to send the copy of this order to the Computer Incharge, RADDC, New Delhi who shall upload it on the official website of Delhi District Courts at the earliest.



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SPL. JUDGE (PC ACT): CBI-15
ROUSE AVENUE DISTRICT COURT
NEW DELHI/09.07.2020

09.07.2020.

Present:- Mr. Neetu Singh, Ld. PP for CBI.
Proceedings qua A1 & A2 have already been abated due to their death.
Accused No. 8 has already been discharged.
Mr. Hitendra Nahata, Ld. Counsel for accused M.M. Sharma & Jyoti Sharma.
Mr. S.K. Bhatnagar, Ld. Counsel for accused P.D. Sharma & S.S. Negi.
Mr. R.S. Ahuja, Ld. Counsel for accused R.K. Srivastava.
Mr. Tanveer Ahmad, Ld. Counsel for accused Rajiv Gupta alongwith said accused.

Hearing was conducted today at 11:00 AM through Video Conferencing on Cisco Webex Meeting Platform facilitated by Ahlmad of the Court.

An application has already been filed by Sh. S.K .Bhatnagar, Advocate appearing on behalf of accused P.D. Sharma and S.S. Negi seeking postponement of hearing in this case till after 13.08.2020. It is submitted by Mr. Bhatnagar, Advocate that a writ petition bearing No. 74/2020 has been filed by accused P.D. Sharma and S.S. Negi before the Hon'ble Delhi High Court seeking benefit of the amendments which have been incorporated in the Prevention of Corruption Act by the Parliament in the year 2018 and the said writ petition is still pending before the Hon'ble High Court. However, it is informed by Mr. Hitendra Nahata Advocate that in the said writ petition the Hon'ble High Court, vide order dt. 08.07.2020, has directed that this court may proceed with final arguments and also pronounce the judgment but in case the accused are found guilty, the order on sentence shall not be passed till 13.08.2020. He has already sent a copy of the said order to this court through E-mail. Therefore, the submissions of Mr. Bhatnagar Advocate have become infructuous.

Another prayer contained in the aforesaid application is that copies of the exhibited documents and the statements of the witnesses may be provided to the accused in a CD. Similar prayer has been made in another application filed by Mr. Nahata Advocate on behalf of accused M.M. Sharma and Jyoti Sharma. With regards to the said prayer contained in the abovesaid two applications, it may be noted here that the documents, whether exhibited or not, are not available in the court record in soft form i.e. digitized form and hence, same cannot be supplied to accused in digitized form. The accused may be well advised to inspect the court record and take photocopies of the documents which they need. The deposition of the witnesses, which are available in the computer system of this court, would also be provided to the accused in a pen drive, if they so desire. To obtain the same, the accused or their counsels may contact the ahlmad of this court and fix a date when they would visit the court to inspect the court record.

With these directions, both the applications stand disposed off.

Written submissions have been received only on behalf of accused Rajiv Gupta. Time till 18.07.2020 is granted to all the remaining accused to file their written submissions.

The case shall be taken up for oral arguments, if required, on 21.07.2020.

The Ahlmad is directed to send the copy of this order to the Computer Incharge, RADC, New Delhi who shall upload it on the official website of Delhi District Courts at the earliest.


(VIRENDER BHAT)
SPL. JUDGE (PC ACT): CBI-15
ROUSE AVENUE DISTRICT COURT
NEW DELHI/09.07.2020