

CBI Vs. Shri Sunny Kalra & Others.
CC No. 246/19

10.09.2020

Present:- Shri B.K. Singh, Learned Senior PP for CBI along with HIO Inspector S. Sridhar Iyer.

Shri Bharat Gupta, Learned counsel for Accused No. 1 Shri Sunny Kalra, who is in JC.

Accused No. 7 Shri Rajesh Goyal representing accused No. 2 M/s. Samadhan Management Services Private Ltd. with the learned counsel Shri Chandra Gupta.

Accused No. 3 Sh. Pawan Arya MVSR with learned counsel Shri Akhand Partap Singh.

Accused No. 5 Shri ARK Prasad and Accused No. 6 Shri G. Bala Subramanian along with Shri K.K. Nadar, Ld. Counsel.

Accused No. 7 Shri Rajesh Goyal and Accused No. 8 Shri Amit Agarwal with the learned counsel Shri Chandra Gupta.

Accused No. 9 Shri Puran Nath Juneja with learned counsel Shri Hitendra Kapoor.

Accused No. 10 Shri Anil Kumar Goel with learned counsel Shri Yogesh Verma.

Accused No. 11 Shri M.L. Nasa is not present and is represented by Learned Counsel Shri Mayank Maini.

(Through VC using Cisco Webex App.)

Sh. Bharat Gupta, Ld. Counsel for Accused No. 1 Sh. Sunny Kalra submitted that Accused No. 1 Sh. Sunny Kalra has surrendered on 08.09.2020 and he is in JC in another case now, namely CBI vs. M/s Dolphin Scaffoldings Pvt. Ltd., CBI Case No.403/2019.

Ld. Counsel submitted that a cousin brother of the accused is ready and has filed affidavit to offer immovable property worth Rs.2,00,00,000/- (Rupees Two Crore Only) as security for the bail of Accused

No. 1 and is ready to undertake to pay a sum of Rs.4,00,00,000/- (Rupees Four Crore Only) in case Accused No.1 flees away from the Court. He submitted that the said accused is ready to submit to supervision by GPS control to ensure his presence in the country. He has relied on judgment of Hon'ble Delhi High Court Criminal MC No. 1468/2020 dated 06.05.2020 titled as The State (NCT of Delhi) vs. Sanjeev Kumar Chawla.

On the other hand, the Ld. Sr. PP for CBI has submitted that such an application is not sufficient for ensuring payment of Rs.2,00,00,000/- Rs.4,00,00,000/- in the event of fleeing away of the accused.

The HIO of the case Inspector S. Sridhar Iyer submitted that the accused has told at the time of his arrest that he has a passport at Dubai which is valid till 2023 and the accused be directed to produce the same to rule out his escaping from trial. He submitted that he will file written submissions in this regard during the course of the day.

Rival submissions heard. Order on application of bail of Accused No. 1 Sh. Sunny Kalra shall be passed on the next date.

Bail application is also filed on behalf of Accused No. 3 Sh. Pawan Arya by his Ld. Counsel Sh. Akhand Partap Singh. Copy given to Ld. Sr. PP for CBI who submits that he will file a reply on the next date. Till then, he is admitted to interim bail on furnishing personal bond and surety bond of a sum of Rs.1,00,000/- (Rupees One Lakh Only) and with a further condition that he will not leave the country without permission of the court.

He shall also surrender his passport with the IO of the case.

Accused No. 5 Sh. A.R.K. Prasad submits that he is not pressing his application for travelling abroad. The same is dismissed as withdrawn.

Sh. Mayank Maini, Ld. Counsel for Accused No. 11 Sh. M.L. Nasa submits that Sh. M.L. Nasa is 80 years old and is not present through V.C., but shall be present through V.C. on the next date of hearing. He has filed application for bail. Copy be sent to Ld. Sr. PP for CBI, who will file the reply before the next date. Till then, the accused Shri M.L. Nasa is admitted to

interim bail on furnishing personal bond and surety bond of a sum of Rs.1,00,000/- (Rupees One Lakh Only) and with a further condition that he will not leave the country without permission of the court.

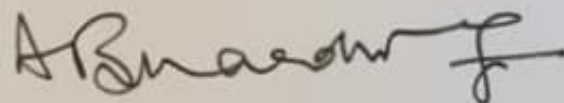
He shall also surrender his passport, if available, with the IO of the case.

List on 21.09.2020 at 11:00 AM for orders on application for bail filed by Accused No. 1 Sh. Sunny Kalra, hearing arguments on the bail applications of remaining accused.

Copy of this order be sent by WhatsApp to Ld. Sr. PP for CBI, all the accused persons and their learned counsels. Copy of this order be also sent to jail superintendent for causing appearance of the accused Sh Sunny kalra through VC on the date fixed.

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(ARUN BHARDWAJ)
Special Judge (P.C. Act)(CBI-05)
Rouse Avenue District Court,
New Delhi/10.09.2020

Ct.Case No. 64/2019

ED Vs Raj Kumar Jain

10.09.2020

Present: Sh. Nitesh Rana, Ld.Spl.PP for ED.
Accused Raj Kumar Jain with Ld. Counsel Sh.P.S.Singhal.

(Through VC using Cisco WebEx App)

Matter is today fixed as an application has been filed on behalf of accused Sh. Raj Kumar Jain and surety Sh. Chaitanya Jain on 07.09.2020 for substitution of FDR drawn on HDFC Bank for a sum of Rs.9 Lakhs by the surety Sh. Chaitanya Jain which was furnished by him when accused Sh. Raj Kumar Jain had been granted bail in this case.

Ld.Spl.PP for ED has orally submitted that he has no objection for substitution of the FDR by the surety.

Heard.

In view of the facts and circumstances as well as no objection on behalf of Ld.Spl.PP for ED, the application is allowed.

Ahlmad of the Court has confirmed that the accused Raj Kumar Jain has supplied fresh original FDR bearing No.50300436579847 for an amount of Rs.9 Lakhs drawn on HDFC Bank, Connaught Circus, Branch code 1220, New Delhi. Same be taken on record.

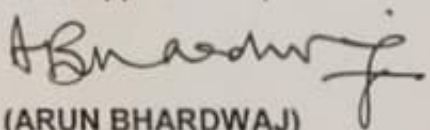
A letter be written to the concerned bank not to release the FDR without the leave of the Court.

List on date already fixed i.e.09.11.2020.

Let a copy of this order be sent by WhatsApp to Ld. Spl.PP for ED, the accused and Ld. Counsel for the accused.

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(ARUN BHARDWAJ)
Special Judge, CBI-05 (PC Act),
RADC, New Delhi/ 10.09.2020