

Directorate of Enforcement Vs. M/s Sunstar Overseas Ltd. & Ors.

CC No. : 01/2024

CNR No.: DLCT01-013456-2024

ECIR No. : GNZO/09/2021

Under Section : 3,4,70,44,45,1 Prevention of Money Laundering Act, 2002

PS : EOW

03.09.2024

Present : Mr. Simon Benjamin, Ld. SPP for ED. *(through video conferencing)*
Mr. Aditya Jain, Ld. Proxy Counsel for Mr. Simon Benjamin, Ld. SPP for ED.
Mr. Aditya Vardhan Sharma, Ld. Counsel for the applicant Ankur Aggarwal. *(through video conferencing)*
Mr. Samarth Krishan Luthra, Ld. Counsel for the accused Paramjeet Sharma.

Copy of the application moved on behalf of the applicant Ankur Aggarwal, seeking suspension of look-out circular for travelling Dubai (UAE) has been supplied to Ld. Proxy Counsel for ED.

Ld. SPP for ED has submitted that he requires some time to file reply to the present application. Let the same be done, as prayed for.

In the interest of justice, list for arguments on application of the applicant Ankur Aggarwal on **09.09.2024**.

The matter is passed-over at the request of Ld. SPP for ED.

Abhishek Goyal
ASJ-03, Central District,
Tis Hazari Courts, Delhi
03.09.2024

It is 12.10 p.m.

Present : Mr. Simon Benjamin, Ld. SPP for ED with Mr. Aditya Jain, Ld. Counsel for ED.

Mr. Samarth Krishan Luthra and Mr. Dhruva Vig,
Ld. Counsel for the accused Paramjeet Sharma.
IO Satyendra Veer Vikram, Asstt. Director.

An application under Section 167 Cr.P.C., seeking further judicial custody of the accused, namely, Rakesh Kumar Gulati, Paramjeet @ Paramjeet Sharma and Ajay Yadav, has been moved on behalf of the ED. Copy thereof has been supplied to the respective counsel for the accused persons.

At this stage, it has been brought to the notice of this Court by Ld. SPP for ED that the records pertaining to earlier remand of the said accused persons is still before the Court of Sh. Raj Kumar, Ld. ASJ-05, Central, Tis Hazari Courts, Delhi and the same are required to be requisitioned from the said Court.

Accordingly, the *Ahlmaa* is directed to requisition the relevant record from the concerned Court.

In the interest of justice, matter is passed over to be taken up **at 02.30 p.m.**

Abhishek Goyal
ASJ-03, Central District,
Tis Hazari Courts, Delhi
03.09.2024

It is 04.00 p.m.

Present : Mr. Simon Benjamin, Ld. SPP for ED. (*through video conferencing*)
Mr. Aditya Jain, Ld. Counsel for ED.
Mr. Tanveer Ahmed Mir, Ld. Counsel for the accused, namely, Rakesh Kumar Gulati. (*through video conferencing*)
Mr. Kush Gulati and Mr. Yash Datt, Ld. Counsel for the accused, namely, Rakesh Kumar Gulati.
Mr. Samarth Krishan Luthra and Mr. Dhruva Vig,
Ld. Counsel for the accused Paramjeet Sharma.
IO Satyendra Veer Vikram, Asstt. Director.

The accused, namely, Ajay Yadav, Rakesh Kumar Gulati and Paramjeet @ Paramjeet Sharma have been produced from judicial custody.

At this stage, the Ahlmad of this Court has informed that on an enquiry that the files pertaining to the earlier order of remand can be conveyed to this Court only upon an application being moved on behalf of/by ED before the Ld. Principal District & Session Judge (Headquarters), seeking a formal order in this regard.

At this stage, Ld. Proxy Counsel for Ld. SPP for ED has placed on record, copies of order dated 09.07.2024, 22.07.2024, 23.07.2024, 06.08.2024 and 20.08.2024, passed by the Ld. Predecessor Judge, wherein the order of remand of accused persons, namely, Rakesh Kumar Gulati, Paramjeet @ Paramjeet Sharma and Ajay Yadav were initially granted by the Ld. Predecessor Judge *vide* order dated 02.07.2024 (police remand) and subsequently, the order of judicial custody, which was granted by Ld. Predecessor Judge *vide* order dated 09.07.2024, was extended from time to time and the last extension of judicial custody was granted by the Ld. Predecessor Judge on 20.08.2024, till 03.09.2024.

In the present application, ED has *inter alia* prayed that upon a detailed investigation, specific roles have been established/attributed against the aforesaid accused persons. In fact, in this regard, attention of this Court has been drawn to para Nos. 7, 8 and 9 of the order dated 02.07.2024, passed by the Ld. Predecessor Judge, wherein specific role *qua* the accused persons, namely, Rakesh Kumar Gulati, Paramjeet @ Paramjeet Sharma and Ajay Yadav have been briefly noted.

At this stage, Ld. Counsel for the aforesaid accused persons have submitted that they are not opposing the present application, seeking further judicial custody/remand of the said accused. However, Ld. Counsel have requested for expeditious hearing on the pending applications as well as on the aspect of cognizance in the present case.

Arguments heard. Record perused.

In light of the aforesaid submissions and in view of the orders passed by the Ld. Predecessor Judge as well as considering the contents of the present application and the material placed on record, this Court is also of the considered opinion that sufficient grounds for further judicial remand are made out against the accused persons, namely, Rakesh Kumar Gulati, Paramjeet @ Paramjeet Sharma and Ajay Yadav.

Consequently, the aforesaid application under Section 167 Cr.P.C. is ***allowed*** and the accused persons, namely, Rakesh Kumar Gulati, Paramjeet @ Paramjeet Sharma and Ajay Yadav are remanded to judicial custody till the next date of hearing, i.e. till **09.09.2024** for the aforesaid reasons.

At this stage, applications on behalf of accused persons, namely, Rakesh Kumar Gulati, Paramjeet @ Paramjeet Sharma and Ajay Yadav Paramjeet have been moved, seeking permission to attend the Court, through virtual mode. The said prayer is not opposed by Ld. SPP for ED.

In light of the aforesaid, the present application is ***allowed***. The accused persons, namely, Rakesh Kumar Gulati, Paramjeet @ Paramjeet Sharma and Ajay Yadav are permitted to attend the proceedings on the next date of hearing, through virtual mode.

Another application on behalf of accused Rakesh Kumar Gulati, seeking directions to the Jail Authorities to permit him to receive work related documents in jail and carry them in order for him to discharge his professional commitments has been moved at this stage.

The prayer sought for in the aforesaid application is vehemently opposed by the Ld. SPP for ED on the ground that as per the prayer clause of the present application, certain documents are proposed to be signed by the accused, however, copies thereof have not been annexed with the instant application.

At this Stage, Ld. Counsel for the applicant has submitted that he would file the said documents on or before the next date of hearing. Let the same be done, as prayed for.

In the interest of justice, list for further proceedings/consideration on pending applications and aspect of cognizance on **09.09.2024 at 02.00 p.m.**

Abhishek Goyal
ASJ-03, Central District,
Tis Hazari Courts, Delhi
03.09.2024