

Directorate of Enforcement v. 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

14.10.2024

Present : Mr. Simon Benjamin, Ld. SPP for ED.
Mr. M.A. Niyazi, has entered apperance on behalf of
accused no. 15.
Mr. V.K. Singh, has entered appearance on behalf of
accused no. 17.
Mr. Aditya Dewan, has filed vakalatnama on behalf
of accused nos. 6, 8 & 10.
Mr. Sharad Bansal has entered apperance on behalf
of accused no. 7.
Mr. Yash Chaturvedi, Ld counsel for accused no. 24
& 25.
Mr. Aman Malik, Ld counsel accused no. 19.
Mr. Yash Datt, Ld. Counsel for the accused no.11
(*through video conferencing*)
Mr. Samarth Krishan Luthra, Ld. Counsel for the
accused no. 13.
Mr. Yash Vardan, Ld. Counsel for the accused no.12
(*through video conferencing*)
The accused, namely, Ajay Yadav, Rakesh Kumar
Gulati and Paramjeet @ Paramjeet Sharma have
been produced from judicial custody from CJ-07,
Tihar Jail.
Mr. Aman Chaudhary, Ld counsel for accused no.
18.
Mr. Ashish Batra, Ld counsel for accused no. 16.
Mr. Nitin Verma, Ld counsel for accused no. 14.
Mr. Rajesh Goswami, Ld counsel for Mr. Bharat Pal
Singh and Mr. Prahlad Gautam.
Accused namely Rohit Aggarwal, Naresh Aggarwal,
Rakesh Aggarwal are present.

Service report of accused has been filed by / on
behalf of the IO/ ED. Same is taken on record.

Mr. M.A. Niyazi, has entered apperance on behalf of
accused no. 15, M/s Kalptaru Fincap Pvt. on memo. Ld counsel

has submitted that he has been authorized to appear on behalf of accused no. 15 by Mr. Sharvan Kumar Shah, Director and AR of the said company and that he would file *vakalatnama* along with authority letter in this regard within a period of two weeks from today. Let the same be done as prayed for.

Mr. V.K. Singh, has entered appearance on behalf of accused no. 17, M/s. Compact Capital Limited on memo. Ld counsel has submitted that he has been authorized to appear on behalf of the said accused by Mr. Vijay Bhatia, Director and AR of the said company and that he would file *vakalatnama* along with authority letter in this regard within a period of two weeks from today. Let the same be done as prayed for.

Mr. Aditya Dewan, has filed *vakalatnama* on behalf of accused no. 6, Rohit Aggarwal and accused no. 8, Naresh Aggarwal. Same are taken on record. The said accused persons are also present in the court today.

Mr. Aditya Dewan has also filed memo of appearance on behalf of accused no. 10, Mr. Sumit Aggarwal and submitted that he would file his *vakalatnama* within a period of two weeks. Let the same be done as prayed for. Nevertheless, an application from personal exemption has been moved on behalf of accused no. 10 on the ground that the accused is taking care of his ailing mother. For the reasons stated therein, exemption is allowed for today only **subject to production of necessary medical documents on next date of hearing.**

Mr. Sharad Bansal has entered appearance on behalf of accused no. 7, Mr. Manik Aggarwal as well as accused no. 9, Mr. Rakesh Aggarwal and submitted that he would file his *vakalatnama* on behalf of said accused persons within a period of two weeks. Let the same be done as prayed for. Nevertheless, accused no. 9, Mr. Rakesh Aggarwal, has appeared physically

before this court, while accused Mr. Manik Aggarwal is present on video conferencing mode.

Mr. Yash Chaturvedi, Ld counsel has entered appearance on behalf of accused no. 24, M/s Anir-Arin Holdings Private Limited and accused no. 25, M/s Gleam Finance Pvt Ltd on *vakalatnama* along with copy(ies) of resolution(s) dt. 10.10.2024 authorizing Mr. Sunil Aneja to appear on behalf of both the said accused companies, who is stated to have executed the *vakalatnamas*. Same are taken on record.

Mr. Aman Malik, Ld counsel has entered appearance on behalf of accused no. 19, M/s. Purshotam Profiles Pvt. Ltd. on *vakalatnama* along with copy of resolution dt. 14.10.2024, authorizing Mr. Sachin Aggarwal as AR of the company who has further authorized Mr. Aman Malik, Ld counsel to appear on behalf of the said accused. Same is taken on record. Mr. Sachin Aggarwal is also present, AR of said company is also present.

Mr. Yash Datt, Ld. Counsel has entered appearance on behalf of accused no. 11, Mr. Rakesh Kumar Gulati; Mr. Yashwardhan, Ld. Counsel has entered appearance on behalf of accused no. 12, Mr. Ajay Yadav; and Mr. Samarth Krishan Luthra, Ld. Counsel has entered appearance on behalf of accused no.13, Mr. Paramjeet. Notably, the said accused persons have also been produced from judicial custody and compliance in terms of the provisions under Section 207 Cr.P.C has already been conducted qua the said accused persons, insofar as the documents placed on record.

Mr. Aman Chaudhary, Ld counsel has entered appearance on behalf of accused no. 18, M/s. Vinod Rice Mill Pvt Ltd and submitted that he would file his *vakalatnama* along with authority letter within a period of two weeks from today. Further, as per the Ld counsel, he has been authorized by Mr. Madan

Gheek, Director of the said company to appear on behalf of the said accused, however, he would place the necessary documents on record before the next date of hearing.

Mr. Rajesh Goswami, Ld counsel has entered appearance on behalf of Mr. Bharat Pal Singh and Mr. Prahlad Gautam on memos, stated to be part of body of individuals namely M/s. Ajay Yadav & Co specified at accused no.20 in the present complaint. Ld counsel has submitted that he would file his *vakalatnama* within two weeks from today. Let the same be done as prayed for. Further, Ld counsel has moved exemption applications on behalf of the said accused on the ground that Mr. Bharat Pal Singh is traveling to Vrindavan and that Mr. Prahlad Gautam is not keeping well. For the reasons stated therein, exemption is allowed for today only **subject to the accused furnishing necessary travel and medical records, as the case may be on the next date of hearing.**

Mr. Ashish Batra, Ld counsel has entered appearance on behalf of accused no. 16, M/s. Omkara Assets Reconstruction Pvt Ltd. on memo. Ld. Counsel has submitted that he has been authorized by Mr. Sandeep Goyal, the authorized representative of the said company and that he would file his *vakalatnama* along with said authority letter within a period of two week from today. Let the same be done as prayed for.

Mr. Nitin Verma, Id counsel has entered appearance on behalf of accused no. 14, M/s. Shankar Credits Pvt Ltd, pursuant to the board resolution dt. 11.10.2024 issued in favour of Mr. Sunil Aneja who further authorized him to appear on behalf of accused.

Apposite to note at this stage that since *vakalatnama* and authority letters are wanting to be filed on behalf of certain accused persons/Ld. Counsel who have entered apperance on

memo today, Ld counsel for the respective parties /accused who have entered appearance today on memo are directed to file their respective *vakalatnama* before this court within the aforesaid period. Further, the said accused persons are also directed to supply the copies of respective authority letters to Ld SPP for ED.

At this stage, Ms. Lata Yadav, Director of accused no.1, M/s. Sunstar Overseas Ltd and accused no. 21, M/s. Umaiza Infracon LLP has entered appearance. It is submitted by Ms. Lata Yadav that summons were received by her two days back and that the company is in the process of engaging a counsel to represent them in the present case. She has stated that the company would take necessary steps within a period of two days. Let the same be done as prayed for.

Notably, there is no representation on behalf of accused no. 2, M/s. Star Global Multi Ventures Pvt Ltd; accused no. 3, M/s. Star Rice Land Pvt Ltd; accused no. 4, M/s. Broadway Distribution Pvt Ltd; accused no. 5, M/s. DH Trading Company; accused no. 22, M/s. Shivakriti Agro Pvt Ltd and accused 23, M/s. RRPL Foods Pvt Ltd today. Further, it has not been clarified by Ld Counsel for accused Ajay Yadav whether he is accepting notice on behalf of accused no. 20 as well.

As per service report of the summons, filed on behalf of ED, it is observed that service of accused no.2 was carried out to Mrs. Puja Aggarwal, daughter in law of Mr. Naresh Aggarwal(the then Director); service of accused no. 3 was carried out to Ms. Aksha Aggarwal, wife of Mr. Manik Aggarwal(the then Director); service of accused no. 4 was carried out to Ms. Aksha Aggarwal, daughter in law of Mr. Rakesh Aggarwal(the then Director); service of accused no.5 was

carried out to Ms. Puja Aggarwal, wife of Rohit Aggarwal(the then Director); service of accused no.23 was carried out to Ms. Puja Aggarwal, wife of Rohit Aggarwal(the then Director). Further, no service report of accused no.22 is forthcoming. Pertinently, Ld counsels for accused persons namely Rohit Aggarwal, Naresh, Manik Aggarwal, Rakesh Aggarwal have objected to mode of service of the said companies on the relatives of the said accused contending that neither the accused nor their relatives have any concern with the said companies.

It is observed that the aforesaid entities are companies accordingly, **fresh summons be issued to the respective official / registered addresses of aforesaid companies through concerned IO for next date of hearing.**

Accused no. 6, Mr. Rohit Aggarwal and accused no. 8, Mr. Naresh Aggarwal who are present in court are supplied with the copies of complaint and documents annexed thereof against acknowledgment. Further, copies of complaint and documents annexed thereof are supplied to the Ld counsel for accused no. 19, 24 & 25 against acknowledgement. Accordingly, so far as the said accused persons / accused companies are concerned, provisions under Section 207 Cr.P.C stand complied with in respect of documents placed on record. Ld SPP for ED has confirmed that he has received the copy of board resolution annexed with respective vakalatnamas for accused no. 19, 24 & 25.

Further, since the complaint against accused no. 6,7,8,9 and 10 have been filed without their arrest, the said accused persons are all directed to furnish **personal bond in a sum of Rs. 50,000/- (Rupees Fifty Thousand only) each along with one surety of like amount, within a period of two weeks** from today

as requested by the accused to ensure their presence before this court.

In the interest of justice, list for further proceedings/appearance of accused / compliance of proceedings under Section 207 Cr.P.C on **19.11.2024**.

At request, accused no. 11,12 & 13 are permitted to join the proceedings through video conferencing mode on next date of hearing.

Issue fresh summons to respondent no. 2, 3, 4, 5, 22 and 23 for the next date of hearing through concerned IO.

List for further arguments on 16.10.2024 on the pending bail application of accused Paramjeet.

Abhishek Goyal
ASJ-03, Central District,
Tis Hazari Courts, Delhi
14.10.2024