

Directorate of Enforcement v. Sunstar Overseas.

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

19.11.2024

Present : Mr. Simon Benjamin, SPP on behalf of the ED
(*through video conferencing mode*).
Mr. Aditya Jain, Advocate for ED.
Ms. Prabhleen Shukla, Ld. Counsel for the accused No. 1. (*through video conferencing mode*).
Ms. Udit Singh, Ld. Counsel for accused No. 2 along with Mr. Pradeep Shukla, AR of the accused No. 2.
Mr. Raheel Kohli, Ld. Counsel for accused no. 3 (*through video conferencing mode*).
Mr. Mohd. Irfan, Ld. Counsel for accused No. 5 along with Mr. Devender Kumar, partner of the accused No. 5.
Mr. Aditya Dewan, Ld. Counsel for accused No. 6, 8 and 10 along with accused Nos. 6, 8 and 10 in person.
Mr. Sharad Bansal and Ms. Sahiba Singh, Ld. Counsel for accused No. 7 and 9 along with accused No. 7 in person.
Mr. Chandra Shekhar Anand, Ld. Proxy counsel for Mr. Yash Datt, Ld. Counsel for accused No. 11.
Ms. Prabhleen Shukla, Ld. Proxy counsel for Mr. Yashwardhan, Ld. Counsel for accused No. 12. (*through video conferencing mode*).
Mr. Samarth Luthra, Ld. Counsel for accused No. 13 (*through video conferencing mode*).
Mr. Prashant Pandey, Ld. Counsel for the accused No. 14.
Ms. Nehmat Sethi, Ld. Counsel for accused No. 15.
Mr. Shrawan Kumar Shah, AR of the accused No. 15. (*through video conferencing mode*)
Mr. V. K. Singh and Mr. Manoj Kumar, Ld. Counsel for the accused No. 17.
Mr. Prabhav Ralli, Ld. Counsel for the accused No. 18 along with AR Mr. Sawan Jindal.
Mr. Aman, Ld. Counsel for the accused No. 19.

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Mr. Sh. Rajesh Goswami, Ld. Counsel for Bharat Pal Singh and Prahlad Kaur along with Bharat Pal Singh and Prahlad Kaur in person.

Ms. Prabhleen Shukla, Ld. Counsel for the accused No. 20 and 21. (*through video conferencing mode*).

Ms. Bani Dikshit and Mr. Dhruva Vig, Ld. Counsel for the accused No. 22 along with Mr. Kailash Chand Pathak, AR of accused No. 22.

Mr. Debopriya Moulik, Ld. Counsel for the accused No. 23.

Mr. Yash Chaturvedi, Ld. Counsel for the accused Nos. 24 and 25.

Accused Nos. 11, 12 and 13 have been produced from judicial custody (*through video conferencing mode*).

Ms. Prabhleen Shukla, Ld. Counsel had entered appearance on behalf of accused No. 1, 20 and 21 and submitted that she has *e-filed* her *vakalatnama* and that she would be filing hard copy thereof along with necessary authority letter/Board Resolution within a period of two days from today. Let the same be done, as prayed for.

Ms. Udit Singh, Ld. Counsel has entered appearance on behalf of accused No. 2 and filed her *vakalatnama* as well as authority letter in favour of Mr. Pradeep Shukla, Director of accused No. 2.

Mr. Raheel Kohli, Ld. Counsel had entered appearance on behalf of accused No. 3 and submitted that he has *e-filed* his *vakalatnama* and that he would be filing hard copy thereof within a period of two days from today. Let the same be done, as prayed for.

As per the service report of summons, issued to accused No. 4, it is observed that the same have returned unserved with remarks that the office of accused No. 4 was found closed.

Accordingly, **issue fresh summons to accused No. 4 to be executed through the concerned IO** returnable on next date of hearing.

Mr. Mohd. Irfan, Ld. Counsel has entered appearance on behalf of accused No. 5 and filed his *vakalatnama* and submitted that the same has been executed by Mr. Devender Kumar, one of the Partners of accused No. 5. Ld. Counsel has submitted that he would place the partnership deed on record.

Ms. Bani Dixit, Ld. Counsel had entered appearance on behalf of accused No. 22 and filed her *vakalatnama* as well as authority letter in favour of Mr. Kailash Chandra Pathak, Authorized Representative of accused No. 22 by virtue of resolution dated 21.11.2024.

Mr. Debopriya Moulik, Ld. Counsel had entered appearance on memo on behalf of accused No. 23. Ld. Counsel has submitted that he would file his *vakalatnama* along with authority letter within a week from today. Let the same be done, as prayed for.

Vakalatnama has been filed on behalf of the accused No. 10 by Mr. Aditya Dewan, Ld. Counsel along with medical records pursuant to the order passed by this Court on 14.10.2024. Same are taken on record.

Request for exemption has been made by/on behalf of the accused No. 9 on the ground that there has been a bereavement in the family, consequently, he is travelling to Kolkata. For the reasons stated therein, the exemption is allowed for today only.

Fresh *vakalatnama* filed on behalf of the accused No. 14 by Sh. Prashant Pandey, Ld. Counsel. Same is taken on record.

Vakalatnama filed on behalf of accused No. 15, along with authority letter in favour of Mr. Shravan Kumar Shah has been filed by Ms. Nehmat Sethi, Ld. Counsel. Same is taken on record.

There is no representation on behalf of accused No. 16. Further, *vakalatnama* and authority letter as recorded in the order dated 14.10.2024 has also not been filed. At this stage, attention of this Court is drawn to order dated 29.10.2024 of Hon'ble High Court of Delhi in ***Crl. Rev. Petition No. 1243/2024, Omkara Asset Reconstruction Pvt. Ltd. v. Directorate of Enforcement***, wherein the Hon'ble High Court has directed this Court that the proceedings in this case be scheduled after 18.12.2024, in so far as accused No. 16 is concerned. Needless to mention, the Hon'ble High Court has specifically observed in the order that the proceedings *qua* the other accused may continue.

Mr. V. K. Singh, Ld. Counsel has entered appearance for accused No. 17. Ld. Counsel submitted that he has already filed his *vakalatnama* along with authority letter in favour of Mr. Vijay Bhatia, in compliance of the order dated 14.10.2024 on 28.10.2024.

Mr. Prabhav Ralli, Ld. Counsel has filed fresh *vakalatnama* on behalf of accused No. 18 along with authority letter/Board Resolution in favour of Mr. Sawan Jindal. Same is taken on record.

Mr. Aman Malik, Ld. Counsel had entered appearance on memo on behalf of accused No. 19. Ld. Counsel has submitted that there has been a change of Authorized Representative on behalf of accused No. 19 and that he would file an application and his *vakalatnama* in this regard. Let the same be done, as prayed for.

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Vakalatnama filed on behalf of Bharat Pal Singh and Prahlad Kaur by Sh. Rajesh Goswami, Ld. Counsel. Same is taken on record.

Ld. Counsel for accused No. 6, 7, 8, 9, 10, 11, 12, 13, 19, 24 and 25 submitted that in so far as the documents placed on record by/on behalf of ED, provisions under Section 207 Cr.P.C. stands complied with.

Let the copy of complaint and documents annexed therewith be supplied to accused Nos. 14, 15, 17, 18, 20 (in so far as Bharat Pal Singh and Prahlad Gautam are concerned) and accused No. 22/ Ld. Counsel for the said accused persons against acknowledgment, in compliance of provisions under Section 207 Cr.P.C.

In the interest of justice, list for appearance and further proceedings on **25.01.2025**. It is clarified that the date is given at the request of Ld. Counsel for the accused persons.

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

Further, in compliance of the orders passed by this Court on 14.10.2024 and in terms of the decisions of the Hon'ble Supreme Court in *Tarsem Lal v. Directorate of Enforcement, (2024) 7 SCC 61* and *Satender Kumar Antil v. CBI (2022) 10 SCC 51*, accused No. 6, 7, 8, 10, accused Bharat Pal Singh and Prahlad Gautam have furnished their respective bail bonds. Let the verification report thereof be called for 25.11.2024.

Abhishek Goyal
ASJ-03, Central District,
Tis Hazari Courts, Delhi
19.11.2024

Contd...../-

At 04.30 p.m.

At this stage, *vakalatnama* has been filed on behalf of accused No. 1 and 21 by Mr. Yashwardhan. Same are taken on record. Ld. Counsel has submitted that he would file the copy of form 32 as well as copy of partnership deed on record in due course.

Abhishek Goyal
ASJ-03, Central District,
Tis Hazari Courts, Delhi
19.11.2024