

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

17.09.2024
Present : None.

Pursuant to the order passed on the last date of
hearing, the matter will be taken up **at 03.00 p.m.**

Abhishek Goyal
ASJ-03, Central District,
Tis Hazari Courts, Delhi
17.09.2024

It is 04.40 p.m.

Present : Mr. Simon Benjamin, Ld. SPP for ED.
Mr. Aditya Jain, Ld. Counsel for ED.
IO Satyendra Veer Vikram, Asstt. Director.
Mr. Yash Datt, Ld. Counsel for the accused, namely,
Rakesh Kumar Gulati.
Mr. Kush Gulati, Ld. Counsel for the accused,
namely, Rakesh Kumar Gulati. (*through video
conferencing*)
Mr. Adityawardhan Sharma, Ld. Counsel for
applicant Ankur Kumar.
Ms. Bani Dikshit, Mr. Samarth Krishan Luthra, Mr.
Chirag Kakkar, and Mr. Dhruva Vig, Ld. Counsel
for the accused Paramjeet Sharma.
Mr. Arjun Mahajan, Mr. Harshit Kapoor and Mr.
Piyush Gautam, Ld. Counsel for the accused,
namely, Ajay Yadav.
The accused, namely, Ajay Yadav, Rakesh Kumar
Gulati and Paramjeet @ Paramjeet Sharma have
been produced from judicial custody from CJ-07,
Tihar Jail. (*through video conferencing mode*).

Part arguments have been addressed on the
application on the applicant Ankur Aggarwal, seeking

Contd..2/-

cancellation of LOC. Ld. Counsel has further placed on record, case law compilation, in support of his contentions.

During the course of the proceedings today, Ld. Counsel for the applicant Ankur Aggarwal has submitted that he would place on record, on an affidavit, an itinerary of the proposed travel plans of the applicant as well as particulars of his relatives, if any, who can take care of his wife. Let the same be done, as prayed for.

In so far as the application of the accused Rakesh Kumar Gulati, seeking permission to place on record, his retraction statement is concerned, Ld. SPP for ED has sought short accommodation to place on record, relevant case laws, in support of his contentions that the said application cannot even be placed on record of this Court. Let the same be done, as prayed for.

In so far as the application of the accused Rakesh Kumar Gulati, seeking direction from this Court to the Jail Authorities to allow the applicant to receive work related documents in jail and carry them in order to meet his professional obligations is concerned, Ld. Counsel for the applicant has stated on instructions that the applicant does not desires to press the said application at present and that he may be permitted to withdraw the same. Separate statement of Ld. Counsel for the applicant Rakesh Kumar Gulati is recorded in regard.

In view of the foregoing, the aforesaid application of the applicant Rakesh Kumar Gulati, seeking direction from this Court to the Jail Authorities to allow the applicant to receive work related documents in jail and carry them in order to meet his professional obligations, is ***dismissed as withdrawn***.

In the interest of justice, list for arguments on pending applications on **21.09.2024 at 02.00 p.m.**

Further arguments on cognizance have been addressed by Ld. SPP for ED.

In the interest of justice, list for clarifications, if any/orders on **24.09.2024 at 02.00 p.m.**

At this stage, Ld. SPP for ED has moved fresh application under Section 167 Cr.P.C. r/w Section 65 PMLA, seeking extension of judicial custody of accused, namely, Rakesh Kumar Gulati, Paramjeet @ Paramjeet Sharma and Ajay Yadav. In the said application, it has been *inter alia* submitted that under the complaint filed by ED, specific role has been established/attributed against the said accused persons and that this Court is yet to take cognizance of the offence in the prosecution complaint. Ld. SPP for ED has further reiterated that in the earlier order dated 02.07.2024, passed by Ld. Predecessor Judge, under para nos. 7, 8 and 9, specific role *qua* accused, namely, Rakesh Kumar Gulati, Paramjeet @ Paramjeet Sharma and Ajay Yadav have been briefly noted. Copy of the said application has been supplied to Ld. Counsel for the accused persons.

Ld. Counsel for the aforesaid accused persons have submitted that they are not opposing the aforesaid application, seeking further judicial custody/remand of the said accused.

Arguments heard. Record perused.

In light of the aforesaid submissions and in view of the orders passed by the Ld. Predecessor Judge, copies of which have been placed on record, 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 **24.09.2024** for the aforesaid reasons.

At request, the accused pesons, namely, Rakesh Kumar Gulati, Paramjeet @ Paramjeet Sharma and Ajay Yadav are permitted to join the proceedings on the next date of hearing, *i.e.* on **24.09.2024 at 02.00 p.m.**, through video conferencing.

Abhishek Goyal
ASJ-03, Central District,
Tis Hazari Courts, Delhi
17.09.2024