

CNR No. DLCT11-11000050-2023

CT No. 01/2023

E.D V. M/s SSK Trading Pvt. Ltd & Ors.

ECIR/DLZO-1/06/2018

U/s 4 r/w Section 3 of PMLA 2002

14.03.2024

Present : Sh. Arun Khatri, Ld. Special Prosecutor for Enforcement Directorate (ED) **(through VC)** & Ms. Saumya Bajaj & Sh. Ishaan, Advocate physically in court.

A-23 Kapil Gupta is absent.

None for Resolution Professional (Representing A-19 M/s Goel Impex Pvt Ltd.)

A-2 Surender Kumar Bansal, A-3 Shefali Bansal (VC), A-8 Bikash Singhi, A-9 Surender Kr Jain (V.C), A-10 Rajesh Kr. Aggarwal(VC), A-11 Parveen Kumar Goel, A-12 Shirish Chandrakant Shah (VC), A-13 Praveen Kr. Jain (VC), A-14 Ashok Goel (VC), A-18 Praveen Gupta (VC), A-21 Pradeep Goel (VC), A-25 Hemant Kr. Aggarwal (VC), A-27 Sanjeev Soni, A-42 Raj Gopalan Iyer (VC), Director of M/s Empower India Ltd. **are on bail.**

Ms. Aparajita Sinha, Ld. Counsel for A-2 & A-3.

Sh. Sumit Kumar, Ld. Proxy counsel for A-5, A-23 & A-24.

Sh. Rishab Kr. Thakur, Ld. Counsel for A-8.

Sh Sh. Nagesh K. Behl **(through VC)**, Ld. Counsel for A-10.

Ms. Sunita Gupta, Ld. Counsel for A-11, A-14, A-16, A-17 and A-21.

Sh. Siddharath Arora & Sh. Anuja Pandit
Counsel for A-18 & **A-20 M/s Ginni Holdings.**

Ms. Lata Anand, Ld. Proxy Counsel for A-25.

Sh. Hemant Shah (VC) & Sh. Akshay Rana &
Saurabh Pal, Advocates in Court, Ld. Counsel for
A-12, A-13, A-42 & also A-49.

Ms. Harshal, Ld. Counsel for A-31, A-33 & A-35
(through VC).

Sh. Manish Baidwan & Sh. Ankit Sharma
Ld. Counsel for A-37.

An application seeking exemption from personal appearance is moved on behalf of A-23 through counsel stating that he is suffering from dehydration since last night and hence, is unable to appear. In view of the submissions made in the application, A-23 Kapil Gupta is exempted from personal appearance only for today.

Fresh Vakaltnama filed on behalf of A-20- M/s Ginni Holdings. Be taken on record.

Vakaltnama is also filed on behalf of A-49- M/s Kush Hindustan Entertainment Ltd. Be taken on record.

It is further informed by Ld. Counsel Sh. Hemant Shah appearing for A-49 that they have instructions that A-52 M/s Nakshatra Business Pvt Ltd is under liquidation.

In view of the submissions made on behalf of A-52, E.D is directed to verify whether the said company is under liquidation and take appropriate steps in this regard.

Ld. Spl PP for E.D has moved an application for placing on record the affixation report qua A-43 to A-46 and A-48 to A-54. It is submitted in the application that service of

A-43 to A-46 and A-48 to A-54 has also been done through publication as well as through affixation at the last known addresses of the said accused companies. However, they are in the process of collecting the newspaper cuttings and other proof of publication qua A-44, A-45, A-46, A-48, A-50, A-51, A-53 & A-54 (publication proof of A-43, A-49 and A-52 filed as per annexure B of the application) and the same will be filed as the same are received. The report is taken on record. **Publication report qua A-44 to A-48 and A-50,A-51, A-53 & A-54 be filed on or before the next date of hearing.**

Now, coming to the scrutiny of documents, Ld. Counsel for A-2 and A-3 seeks time for checking their soft copies with respect to annexure-A attached with their application. As far as annexure-B is concerned, liberty is given to the Ld. Counsel to inspect the court record. If the court record is better then, the request be moved and E.D shall supply the better copies.

Ld. Counsel for A-12 & 13 submits that they are in the process of inspecting the court record. Request is made for keeping their application under Section 207 Cr.P.C pending till next date of hearing. Needful be done before next date of hearing.

As far as the application of A-18 under Section 207 dated 06.12.2023 is concerned, Ld. Spl PP for E.D is directed to provide the deficient documents as mentioned in para-5 of the application. As far as para-6 of the said application is concerned, it is submitted by Ld. Spl. PP that court record is also of the same condition. In view of of the submissions, no order can be passed by the court in this regard. **Accordingly, the application under**

Section 207 Cr.P.C moved on behalf of A-18 stands disposed off.

Ld. Counsel for A-8 has also moved an application under Section 208 for supply of documents. Copy given to E.D. They are directed to supply the documents to A-8 or file the reply by NDOH.

As far as application of Resolution Professional (Representing A-19) is concerned, Ld. Spl PP for E.D submits that they need more time to file fresh reply to the application of Resolution Professional (Representing A-19). Be filed.

Ms. Harshal, Ld. Counsel (appearing through VC) for A-31, A-33 & A-35 submits that as already informed on the last date of hearing, the proceedings qua the said accused persons is stayed by the Hon'ble High Court and the next date in the matter is 16th May,2024.

Be listed for (i) filing publication report qua A-44, A-45, A-46, A-48, A-50, A-51, A-53 & A-54 (ii) consideration of the application of Resolution Professional (Representing A-19) & (iii) reply to the applications under Section 207 Cr.P.C and scrutiny of documents on 15th April 2024.

(GAGANDEEP SINGH)
Special Judge, PC Act, CBI-04
Rouse Avenue Courts, New Delhi
14.03.2024