

**IN THE COURT OF SH. AJAY GUPTA, SPECIAL JUDGE, PC ACT
(CBI)-03, ROUSE AVENUE DISTRICT COURT, NEW DELHI**

**Directorate of Enforcement through
Assistant Director (PMLA) Vs. SSK Trading Pvt. Ltd.
ECIR/06/DLZO-I/2018
Complaint/R No. 1/2023**

21.02.2023 (12.00 Noon)

Proceedings have been conducted through VC as well as in physical mode.

Pr. : Sh. Arun Khatri, Ld. Sr. PP with Sh. Rishabh Kumar, AEO for ED.

Accused Surender Kumar Bansal produced from JC through VC

Sh. Gaurav Kumar, Advocate (D-4009/2018, Mobile No.8149262945) with Sh. Shaurya Mittal (D-4338/2021, Mobile No.7044081931) for accused Surender Kumar Bansal.

It is submitted by the Ld. Counsel for the accused that main Counsel is busy before the Hon'ble High Court in some matter. It is requested that the matter may be passed over.

Be awaited.

**(Ajay Gupta)
Special Judge (PC Act) CBI-03,
RADC/New Delhi/21.02.2023**

(At 12.24 P.M)

File is again taken up as it was passed over on the request of Ld. Counsel for the appearance of Ld. Main Counsel for the accused. Proceedings have been conducted through VC as well as in physical mode.

Pr. : Sh. Arun Khatri, Ld. Sr. PP with Sh. Rishabh Kumar, AEO for ED.

Accused Surender Kumar Bansal produced from JC through VC

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Sh. Gaurav Kumar, Advocate (D-4009/2018, Mobile No.8149262945) with Sh. Shaurya Mittal (D-4338/2021, Mobile No.7044081931) for accused Surender Kumar Bansal.

It is submitted by the Ld. Sr.PP that IO of this case has not come today as he has undergone surgery.

Typed synopsis have been filed by Ld. Sr.PP for E.D. It is submitted by the Ld. Sr.PP for ED that the copy of the same cannot be supplied to the opposite party as the cognizance of the offence is yet to be taken in this matter.

Perusal of the record shows that in para '2' of the application titled as “Application opposing further proceedings/purported rehumai/remand in furtherance of order dated 13.02.2023 and placing on record clarifications” certain submissions have been made qua order dated 24.01.2023. Ld. Counsel for the accused has mentioned that Counsel for accused was not present when the date was given. It is also stated that the Court had directed the Counsel of accused to leave the Court room, as the Ld. Sr.PP for E.D was to make submissions on why cognizance was required to be taken on complaint filed by ED.

Perusal of the record shows that Ld. Counsel for accused was very well present on 24.01.2023, accused was produced from JC through VC and Ld. Sr.PP for ED alongwith IO was also present and Ld. Sr.PP wanted to make

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certain submissions regarding cognizance but not in the presence of Ld. Counsel for the accused and thus, Ld. Counsel was requested to remain present outside the Court and after the matter was adjourned, it was made aware to both the sides about the next date of hearing. Thereafter, the file was also inspected by the Ld. Counsel for the accused on three occasions on 27.01.2023, 31.01.2023 and 04.02.2023. Thus, from these submissions, it seems that Ld. Counsel has lost faith in this court, therefore, it would not be appropriate for this Court to proceed further in this matter. Thus, the matter is required to be transferred.

At this stage, it has been submitted by the Ld. Counsel for accused that main Counsel for the accused is busy before the Hon'ble High Court in some matter. Thus, it is submitted that the matter may be passed over for 12.50 p.m.

At request, put up at 12.50 p.m.

Accused be produced through VC at 12.50 p.m.

(Ajay Gupta)
Special Judge (PC Act) CBI-03,
RADC/New Delhi/21.02.2023

(At 12.50 P.M.)

File is again taken up at this stage as it was kept pending for the presence of Ld. Main Counsel for the accused. Proceedings have been conducted through VC as well as in physical mode.

Pr. : Sh. Arun Khatri, Ld. Sr. PP with Sh. Rishabh Kumar, AEO for ED.

Sh. Gaurav Kumar, Advocate (D-4009/2018, Mobile No.8149262945) with Sh. Shaurya Mittal (D-4338/2021, Mobile No.7044081931) for accused Surender Kumar Bansal.

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Presence of Ld. Main Counsel and accused is awaited.

At this stage, it is submitted by Sh. Shaurya Mital, Advocate that he has apprised the Ld. Main Counsel about the order passed by this Court at 12.24 P.M regarding transfer of the present case.

At this stage, Sh. Gaurav Kumar, Advocate for accused submits that since the matter is to be simply transferred and no order on merit is to be passed, thus, the matter may be transferred.

It is now 1.00 p.m. and at this stage, Sh. Lalit Gupta, Ld. Counsel accused has appeared through VC and accused has also been produced from JC through VC. Ld. Main Counsel for the accused as well as accused have been apprised of the order regarding transfer of this matter.

In view of the observation made by this Court in the proceedings conducted at 12.24 p.m., this Court is not inclined to try this case further. Let the case file be placed before the Court of Ld. Principal District & Sessions Judge, Rouse Avenue Courts with a request to transfer the present case file to some other Court.

Ld. Sr.PP for ED as well as Ld. Counsel are also directed to appear before the Ld. Principal District & Sessions Judge at 2.00 p.m.

Jail Authorities are directed to positively produce the accused before the Court of Ld. Principal District & Sessions Judge at 2.00 p.m.

Ahlmad is directed to send the case file to the Court of Ld. Principal District & Sessions Judge complete in all respect immediately.

(Ajay Gupta)
Special Judge (PC Act) CBI-03,
RADC/New Delhi/21.02.2023