

CNR No. DLCT11-000287-2019
SC No. 3/2019
CBI V Ashok Kumar Chawla

06.12.2021

Present: Sh. Tajwinder Singh, Public Prosecutor (Substitute for Sh. Mohd. Shakeel, Sr. PP for CBI) along with Holding IO Raj Kumar for CBI. Accused Vijaya Raj Gopal in person on bail with Sh. Kunal Malhotra Advocate.
Accused Ashok Chawla is stated to be expired and proceedings against him have already been abated vide order dated 25.10.2021.
PW Ram Chander Garwan is present.

PW-13 Manu Garg is also present but original punchnama (D-29) from Income Tax Department is not produced from Income Tax Department despite service of summons. Be summoned again.

The defence counsel stated that as per the part cross-examination of PW-3 Devashish Roy Chaudhary recorded on 24.02.2020 relevant record pertaining to satisfaction note and authorization warrant are also required to be summoned from concerned Income Tax Department. Be summoned for next date of hearing and the relevancy of these documents either in further examination of PW-13 Manu Garg or any other witness be considered after production of these documents. The concerned department/officer incharge is directed to produce the above documents without further delay and copy of this order be annexed to the summons issued to the concerned Income Tax Department and be given to concerned HIO for service.

Put up on **07.01.2022** for further examination of PW-13 Manu Garg.

(Dr. Sudhir Kumar Jain)
Principal District & Sessions Judge-cum-
Special Judge (PC Act) (CBI),
Rouse Avenue District Court
New Delhi/06.12.2021

**IN THE COURT OF DR. SUDHIR KUMAR JAIN
PRINCIPAL DISTRICT & SESSIONS JUDGE-CUM-SPECIAL JUDGE (PC ACT)(CBI)
ROUSE AVENUE COURTS COMPLEX, NEW DELHI**

Misc. Application

ED V Satinder Singh Madhok and Another

06.12.2021

Fresh application under section 408 Cr.P.C. received. It be checked and registered as per rules.

Present: Sh. Naveen Kumar Matta and Sh. Atul Sharma, Special Public Prosecutors along with Sh. Mohit Godara Assistant Director (PMLA) for the applicant/Directorate of Enforcement.

Sh. Harsh Sethi Advocate for Accused(s)/Respondents.

It is stated in the application that the accused namely Satinder Singh Madhok and Sandeep Singh Madhok were arrested on 03.09.2021 on the allegation of defrauding a consortium of Banks led by SBI. The concerned trial court during the hearings on ED custody, extension of judicial custody and bail hearings made certain remarks which were not connected or associated with the merits of the case. The Special Public Prosecutors appearing for the applicant also stated that the applicant has already filed the complaint Reg. No. 26/2021 CNR No. DLCT11-000439-2021 ED V M/s Jay Polychem India Ltd. which is already assigned to the concerned trial court of Special Judge (PC Act) CBI-20 and prayed that the complaint case Reg. No. 26/2021 CNR No. DLCT11-000439-2021 ED V M/s Jay Polychem India Ltd. along with miscellaneous applications be transferred to any other court to ensure fair hearing.

The counsel for the accused(s)/respondents stated that he is not admitting the allegations made in the application but he does not have any objection if the complaint case Reg. No. 26/2021 CNR No. DLCT11-000439-2021 ED V M/s Jay Polychem India Ltd. along with all pending miscellaneous applications is ordered to be transferred to any other court. The Senior Public Prosecutors in their fairness also

stated that they are not pressing the remarks stated to be made by the concerned court but the case be transferred to any other court to ensure the fair hearing.

In view of the submissions made by the Senior Public Prosecutors for the applicant and the counsel for the accused(s)/respondents and without going into the details of the remarks as alleged in the application under disposal, the complaint case Reg. No. 26/2021 CNR No. DLCT11-000439-2021 ED V M/s Jay Polychem India Ltd. is ordered to be withdrawn from the court of the Special Judge (PC Act) CBI-20 and assigned to the court of Sh. Shailender Malik, Special Judge (PC Act) CBI-22 for further direction/hearing. The concerned parties are directed to appear before the court of Sh. Shailender Malik, Special Judge (PC Act) CBI-22 on **07.12.2021 at 2.00 pm** for further directions. Copy of this order be sent to the court concerned for information and compliance. File of miscellaneous application be consigned to record room.

(Dr. Sudhir Kumar Jain)
Principal District & Sessions Judge-cum-
Special Judge (PC Act) (CBI),
Rouse Avenue District Court
New Delhi/06.12.2021