

CBI Vs. Monish Malhotra & Anr.

C.C. No. 341/2019

05.07.2019

Present : Sh. Dhan Kishore, learned Sr. PP for CBI.

A-1 Monish Malhotra on bail with Sh. Ajit K. Singh
Advocate.

A-2 Manas Patra on bail with Sh. Ashish Garg
Advocate.

Separate replies to the three applications of A-1 i.e.

(1) Application for seeking direction for defreezing of his and his family members bank accounts and lockers; (2) Application for seeking direction for release of unrelaid documents seized by the Prosecuting Agency during the search and seizure of the house of the applicant; and (3) Application for release of cash of Rs.7,72,000/- in Indian currency and \$ 5302/- in foreign currency seized by the Prosecuting Agency during the search and seizure of the house of the applicant, have been filed by the Prosecution.

Arguments heard.

CBI has objection in releasing of cash of Rs.7,72,000/- in indian Currency and \$ 5302/- in foreign currency seized by the Prosecution Agency during the search and seizure of the house of the applicant. Let the application for release of cash be listed for arguments on next date of hearing as per the

request of Ld. Substitute PP as regular PP of this Court is on leave today.

Qua application for defreezing of bank accounts and lockers of A-1 and his family members and application for release of unrelid documents seized by the Prosecuting Agency, reply thereof is accompanied with Annexure in which list of documents as well as accounts have been mentioned, CBI has “No Objection” for release of unrelid documents at serial no. 01 to 08. Accordingly, it is directed that following unrelid documents seized during the house search at B-12/D, Gangotri Enclave, Alakhananda, Kalkaji, New Delhi, be released to the applicant on proper receipt and identification:-

S. NO.	DETAILS
01.	A bunch of papers containing statement of immovable properties containing page 1 to 23.
02.	A bunch of papers containing ITR, Form 16 etc. (Page 1 to 56)
03.	A bunch of papers containing insurance policies, LICs (Page 1 to 27)
04.	A bunch of cancelled cheques etc. (Page 1 to 27)
05.	A bunch of saving Bank pass books etc. (10 pass books)
06.	A bunch of FDRs (Page 1 to 39)
07.	A bunch of papers containing agreement, receipt of PAL I & D Pvt. Ltd. and zerox copy of sale deed etc. (Page 1 to 49)
08.	A bunch of loose papers containing saving receipts, ITR acknowledgement PCJ receipt etc. (Page 1 to 41)

Applicant has sought defreezing of account as mentioned in the application and locker in the name of Shobhna Malhotra at PNB, Tuglakabad, New Delhi and in the name of Radha Sharma at Canara Bank, Kalkaji, New Delhi. CBI has “No Objection” for defreeze of the locker in the name of Ms. Shobhna Malhotra and release of locker keys No. 23 (Godrej) and Key No. 05.

So far as, Bank Accounts mentioned in the reply, CBI has “No Objection” if the same be defreezed. Accordingly, it is directed that following Bank Accounts and Locker be defreezed and locker keys be returned:-

S. NO.	A/c No.	Name of AC Holder and Bank
01.	049010100476829	Axix Bank, Nehru Place in the name of Monish Malhotra
02.	0102301501401	ICICI Bank, Alakhnanda, Delhi in the name of Monish Malhotra
03.	102301002897	ICICI Bank, Alakhnanda, Delhi in the name of Monish Malhotra
04.	05781600007544	HDFC Bank, Mandakni, Alakhnanda, Delhi in the name of Smt. Shobhna and Monish Malhotra
05.	0347101039517	Canara Bank, R. K. Puram, Delhi in the name of Smt. Shobhna and Monish Malhotra
06.	3159101000054	Canara Bank, Vasant Kunj, Delhi in the name of Smt. Shobhna Malhotra.
07.	102301002876	ICICI Bank, Alakhnanda, Delhi, in the name of Aiyushi Malhotra
08.	3159101001314	Canara Bank, Vasant Kunj, Delhi, in the name of Aiyushi Malhotra.
09.	3087000100082313	Locker in the name of Ms. Shobhna Malhotra in Punjab National Bank, VSC Alakhnanda, TA-93A, Guru Ravi Dass Marg, Tuglakabad, New Delhi-110019,

Applicant /A-1 has also prayed for defreezing of Locker in Canara Bank, Kalkaji, New Delhi, which is in the name of Radha Sharma, who is relative of A-1. CBI has submitted that Locker Keys No. 99/2020 (Godrej) and No. 40291 were seized from the residence of Ms. Radha Sharma, hence these keys may not be released to applicant /A-1 and this locker be defreezed on the application filed by Mrs. Radha Sharma. Ld. Counsel for applicant /A-1 submits that he will move fresh application for defreeze and return of keys of the locker separately.

With the above observations, two applications of A-1 i.e. (1) Application for seeking direction for defreezing of his and his family members bank accounts and lockers; (2) Application for seeking direction for release of unrelid documents seized by the Prosecuting Agency during the search and seizure of the house of the applicant, stand disposed off accordingly.

Two applications under Section 91 Cr. P. C. filed on behalf of A-1 are also listed today for further arguments. Let both these applications be listed for further arguments on next date of hearing as the regular PP of the Court is on leave today.

Ld. Counsel for A-1 has also filed two applications for furnishing FDR in place of RC of vehicle submitted on behalf of

his sureties Ms. Shobhna Malhotra and Ms. Marble Malhotra.
Copies supplied. Reply, if any, be filed by CBI on or before next
date of hearing.

Put up for arguments on all pending applications on
01.08.2019.

Copy of this order be given dasti as requested.

(Ajay Kumar Kuhar)
Special Judge, PC Act, CBI-04
Rouse Avenue Courts, Delhi
05.07.2019.