

E.D versus M/s REI Agro Ltd. & ors.
ECIR No. 08/DLZO/2016 dated 27.10.2016.

21.05.2018

Present: Sh. Atul Tripathi, Ld. SPP for Enforcement
Directorate with IO.

A-2 Sandip Jhunjhunwala on bail.

Sh Pawan Narang with Sh. Abhimanyu
Bhandari, Sh. Shivam Takiar and Sh. Jitender
Bidhuri, Ld counsels for A-2.

Sh. Sayed Sarfaraz Karim and Sh. Shashwat
Anand, Ld counsel for A-1 and A-10.

Sh. Abhishek Vikram, Ld counsel for A-8, A-9,
A-11, A-12 and A-13. He has filed his Memo of
Appearance and submitted that he will file his vakalatnama
on the next date.

Applications u/s 305 CrPC are filed on behalf of
A-3, A-4, A-5, A-6 and A-7 for taking on record the board
resolution. Copy be supplied to the Ld. SPP for ED. Ld
counsel submits that the application qua A-14 will be filed
on the next date.

Soft copy of the documents supplied to the
counsel for A-1 and A-10 alongwith copy of the complaint
(Hard copy). The soft copy of the documents also supplied
to the counsel for A-8, A-9, A-11, A-12 and A-13 alongwith
copy of the complaint (Hard copy).

Ld SPP submits that he will file the hard copy in a week's time. Ld counsel for the parties may collect the same from the court after one week.

Ld SPP submits that till date, except the accused Sandip Jhunjhunwala, other accused persons have not obtained bail.

Ld counsel for the accused persons per contra referred the case of *Dow Agro Science India Pvt Ltd v. CBI in Crl. Misc. No. 25244 of 2012 decided on 19.08.2013* to contend that where a company is an accused, it may appoint a representative during trial to represent it. A representative of a company is not to be equated as an accused and is not liable for punishment. Since the representative of a company is not an accused, he cannot be asked to furnish bail bonds.

Ld SPP submits that as per the practice prevalent, even for the companies, represented by some persons appointed by the Board of Directors, bail bond is required to be furnished.

IO submits that further investigation is going on and he will submit the progress report on the next date.

The case is fixed for scrutiny and for consideration of charge on **16.07.2018**. Dasti.

(Sanjiv Jain)
Special Judge (PC Act)
(CBI)-3, South, Saket Courts,
New Delhi:21.05.2018