

CT No. 11/2020

Directorate of Enforcement Vs. Jagmohan Kejriwal & Ors.

CNR No. DLCT11-000286-2020

23.03.2021

Present : Sh. Atul Tripathi and Sh. Ram Sewak, Ld. Special PP for ED/prosecution along with IO SI Nitesh Nandal.

Sh. Monty Singh, Ld. Counsel for A-1, A-2 and A-3.

Sh. Shubham Nagar, Ld. Counsel for A-4 and A-8.

Sh. Divyansh Bhardwaj and Sh. Deepak Vohra, Ld. Counsel(s) for A-11 and A-12.

Sh. Deepak Vohra, Ld. Counsel for A-13, A-14 and A-15.

Ms. Ramaditya Tiwari, Sh. Madhav Khurana and Ms. Riya Arora, Ld. Counsel(s) for A-16 and A-17.

Sh. Harmeet Singh, Ld. Counsel for A-20 and A-21.

Sh. Atul Aggarwal, Ld. Counsel for A-22.

Accused No. 1 Jagmohan Kejriwal and Accused no. 3 Ms. Anju Kejriwal for themselves and as Directors of A-2 M/s Green Valley Plywood Ltd. in person.

Accused no. 4 Sh. Pramod Varshney for himself and as Director of M/s Green Valley Decor Ltd. (A-5) and also as Director of M/s Vintage Decor Ltd. (A-6).

Accused no. 7 Sh. Rajender Kumar Gupta in person.

Accused no. 8 Sh. Mukesh Sharma for himself as well as Director of M/s Pine Decor Pvt. Ltd. (A-9) and also as Director of M/s Mam Chand Mahabir Prasad Pvt. Ltd. (A-10), in person.

Accused no. 11 Vishal Garg for himself as well as Director of M/s Moon Lite Technochem Pvt. Ltd. (Now Vikas Multicorp Ltd.) (A-12).

Accused no. 13 Vikas Garg (Also as Director of M/s Vikas Global One Ltd. (Now M/s Vikas ECOtech Ltd.) (A-14) and M/s Vikas Polymers (India) (A-15) in person.

Accused no. 18 Sh. Ashish Chopra for himself and as Director of M/s. Arinits Sales Pvt. Ltd. (A-19)

Accused no. 20 Ajay Kapur for himself and as Director of M/s Shubham Chemicals and Solvents Ltd. (A-21) in person.

Accused no. 22 B. L. Bengani in person.

Accused no. 24 Ankur Aggarwal for himself and as Director of (A-25) M/s Agarwal Associates and Impex Pvt. Ltd.

Accused no. 16 Rishabh Jhunjunwala is absent.

Another application for exemption has been moved on behalf of A-16 Rishabh Jhunjunwala on the ground that applicant/accused Rishabh Jhunjunwala is a permanent resident of Singapore and due to ongoing Covid-19 pandemic, stringent Border Control Measures are being observed by the Immigration Checkpoints Authority of Singapore due to which his permission to re-enter Singapore after travelling to India for hearing has been rejected.

Heard. In view of the grounds stated, A-16 Rishabh Jhunjunwala is exempted from personal appearance only for today.

An application for grant of bail has been moved on behalf of accused no. 13 Sh. Vikas Garg who is also representing A-14 and A-15 Companies.

Copy supplied to Ld. PP for ED/prosecution. Arguments heard.

It has been argued Ld. Counsel for the applicant/accused that the main accused persons are on bail in the predicate offences pertaining to which charge-sheet has been filed by the CBI which is pending before this court and the fact the main accused persons were

also not arrested during the investigation of the said FIR and also in the criminal case initiated by the Director of Enforcement (ED) under the Prevention of Money Laundering Act, 2002 (PMLA) bearing no. ECIR/10/DZ-I/2017 against the accused persons/companies, on the basis of FIR No. RCB1/2015/0006 dated 19.05.2015 of the CBI, New Delhi U/s 420, 467, 468 and 471 read with 120 B IPC and under Section 13(2) read with 13(1) (d) of P. C. Act, as also this accused. It is also submitted that the other co-accused persons have already been admitted to bail in the present ECIR.

It is, therefore, submitted that no fruitful purpose will be served by sending the accused to judicial custody.

The application has been strongly opposed by Ld. PP for ED on the ground that if enlarged on bail, the accused may try to tamper with the evidence and influence the witnesses and also flee from the justice.

Considering the facts and circumstances of the case, more particularly the fact that some of the applicant/accused has been charge-sheeted in the predicate offences by the CBI without arrest and in the present ECIR also, ED never sought to arrest the other accused persons and this accused at any point of time nor it has been alleged that accused may tamper with evidence or influence witnesses or is at flight risk. Consequently, no fruitful purpose will be served by sending him to judicial custody.

Accordingly, applicant/accused Vikas Garg is all admitted to bail on furnishing personal bond in the sum of Rs.50,000/- each with one surety of the like amount each subject to the following terms and conditions :-

***(i) applicant/accused shall not leave the country without prior permission of the court;
and***

(ii) applicant/accused shall neither tamper with the evidence in any manner nor try to influence the witnesses.

Bail bond and surety bond furnished on behalf of applicant/accused Vikas Garg. The same are accepted.

On the request of Ld. Counsel for the accused, the bailable warrants issued against this accused earlier stand cancelled after due warning to the accused to be careful and diligent in future.

It is submitted by the Ld. Prosecutor that Ld. Counsel for A-22 B. L. Bengani has already moved an application that he is no more representing accused no. 23 M/s Uniply Industries Ltd. as he is not associated with the said company since 2015 and without prejudice to his rights and contentions with regard to the said application, A-23 M/s Uniply Industries Ltd. may be summoned at the address mentioned in Annexure A-4 annexed with the application of A-22.

Let the summons be sent to the said company at the address so mentioned for the next date of hearing.

Regarding the hard copies, it is submitted by Ld. PP for ED that they have brought the hard copies today in different vehicles parked in the basement.

In these circumstances, Ld. Counsels for the accused persons/accused persons are requested to collect the copies of the complaint and the documents therewith from there only.

Now to come up for scrutiny of documents and further proceedings on **19.04.2021**.

**(Sanjeev Aggarwal)
Special Judge (PC Act)(CBI)-02
Rouse Avenue District Court
New Delhi/23.03.2021**