

SC No.09/19

CNR No.DLCT11-000977-2019

DoE Vs Surendra Kumar Jain & Ors.

15.01.2024

Present: Sh. Atul Tripathi, Ld. SPP along with Sh. V. K. Attri, Advocate for DoE/ED.

A-1 Surendra Kumar Jain and A-2 Virendra Jain through VC and A-71 Pankaj Kumar in person.

Proposed AR i.e. either A-1 or A-2 for A-9 to A-34 companies and A-45 to A-59 companies through VC.

Sh. Suresh Chand Sati, Ld. Counsel for A-1, A-2, A-9 to A-34 companies, A-45 to A-59 companies and A-71.

A-3 M/s Jagat Projects Ltd. is not traceable.

A-4 Sant Lal Aggarwal through VC.
Ms. Kritika Bajaj, Ld. Counsel for A-4.

A-5 Satish Kumar Pawa through VC
Sh. Sanjay Abbot through VC for A-5.
Ms. Sanjana Mishra, Ld. Counsel for A-5.

AR of A-6 company M/s. Divine Infracon P. Ltd. not present.
Ms. Kritika Bajaj, Ld. Counsel for A-6.

Ms. Chanchal Taneja AR for A-7 M/s. Index Securities & Research P. Ltd. through VC.
Ms. Kritika Bajaj, Ld. Counsel for A-7.

A-8 Rajesh Kumar Aggarwal through VC.
Sh. Siddharth Bhardwaj, Ld. Counsel for A-8.

None for A-35 M/s Tulika Securities (P) Ltd.

A-37 Misha Bharti and A-38 Shailesh Kumar, who is also AR of A-36 M/S Mishal Packers & Printers P. Ltd., through VC.

Sh. Akhilesh Singh and Sh. Navin Kumar, Ld.
Counsels for A-36 to A-38.

A-39 Santosh Kumar Shah through VC in terms of orders dated 30.08.22 and 31.10.22 of this court.

None for A-42 M/S Vidhata Housing Pvt. Ltd. and A-43 M/S Diwakar Builders Pvt. Ltd. (their names stand struck off on Website of Ministry of Corporate Affairs).

Ms. Shweta Rawat, AR of A-40 M/S Desmond Vinimay P. Ltd., A-41 M/S Picadally Trade & Holding P. Ltd. and A-44 M/S Starlite Traders P. Ltd. in person.

Sh. Ritwik Batra and Sh. Aryan Arora, Ld.
Counsels for A-40, A-41 & A-44 through VC.

A-60 Ravinder Kumar Goel through VC.
Sh. Aman Goel, Ld. Counsel for A-60 through VC.

Proceedings against A-61 Swati Pawa stand abated.

A-62 Mukesh Sharma, A-64 Prakash Hirawat, A-66 Anuj Garg and A-67 Kuldeep Chauhan with Ld. Counsel Sh. S. S. Sharma.

A-63 Debasis Dixit through VC.
Sh. Rajesh Hadda, Ld. Counsel for A-63 through VC.

A-65 Sanjay Kumar Grover with Ld. Counsels Sh. Sunny Pandey and Sh. Anis Kumar Singh and Sh. Shivam Verma.

A-68 Vinod Kumar Gupta through VC in terms of orders dated 30.08.22 and 31.10.22 of this court.
Sh. Paritosh Sharma, Ld. Counsel for A-68.

A-69 Dhirender Kumar through VC.
Sh. Rakesh Kumar, Ld. Counsel for A-69.

A-70 Bineet Kapoor in person in terms of order dated 08.03.2022 and 31.10.2022.
Ms. Mahima Dayani, Ld. Counsel for A-70.

A-74 Surender Kumar Bansal in person.
A-72 SSK Trading (P) Ltd. and A-73 Bansal Diamonds (P) Ltd. (stated to be under the process of liquidation).
Sh. Siddharth Arora, Ms. Jasleen Kaur and Sh. Sumit Kumar, Ld. Counsels for A-74.

None for A-75 Ajay Guptas Shree Nath Jewelers (P) Ltd.

A-76 Ajay Gupta is PO (vide order dated 29.10.2021).

A-77 Bikash Singhi with Ld. Counsel Sh. Naveen Chawla and Ms. Surabhi Rana.

A-79 Amit Arora and he also represents as AR for A-78 Payal Portfolio through VC.
Sh. Sudhir Chahal, Ld. Counsel for A-79 & A-78 through VC.

In terms of the letter/circular No.1/RG/DHC/2023 dated 05.06.2023 issued by the Hon'ble High Court, A-1, A-2, ARs of A-6 & A-7 and proposed AR i.e. either A-1 or A-2 of A-9 to A-34 companies & A-45 to A-59, A-8, A-37, A-38, A-60, A-63, A-69 and A-79 as well as Sh. Sanjay Abbot, Ld. Counsel for

A-5, Sh. Ritwik Batra and Sh. Aryan Arora, Ld. Counsels for A-40, A-41, A-44, Sh. Aman Goel, Ld. Counsel for A-60 and Sh. Sudhir Chahal, Ld. Counsel for A-79 and A-78 have been permitted to join the proceedings through VC on requests made through different modes.

Fresh Vakalatnamas on behalf of A-6 and A-7 companies have been filed on record today.

Warrants of attachment of assets of A-6 company to the extent of Rs. 30,000/- were directed to be issued on previous date through the District Magistrate/District Collector concerned as none was appearing on behalf of the company and even the above cost of Rs. 30,000/- imposed vide previous orders was not deposited. The warrants of attachment stand duly served through IO in the office of District Magistrate/District Collector concerned and Sh. Ashwini Kumar, Patwari, on behalf of the concerned Magistrate/Collector, had also come present and he states that the process is still under execution. The same may be executed as per law and the warrants may be returned back to this court after execution by next date. However, Ld. Counsel for the said company is being given liberty to take appropriate steps for change of AR of the company or for deposit of cost in terms of previous order and getting the warrants suspended/withdrawn as per instructions received from her client.

Some more time is being requested on behalf of ED for filing replies to the three separate applications moved on previous date on behalf of A-1 and/or A-2 for appointment of fresh ARs of A-9 to A-34 & A-45 to A-59 companies or for

disowning some of the above companies as Ld. SPP for ED submits that copies of the said applications were not supplied to them even despite directions contained in the previous order. Let the copies be supplied today itself, failing which the said accused shall be liable to pay a cost of Rs. 10,000/- for delaying the proceedings.

An application of A-74 seeking permission to visit abroad is also pending and reply has been filed on behalf of ED to the said application. Arguments on this application have also been heard. This application is now directed to be listed for consideration/orders at 4 pm today itself.

A notice was also issued on previous date to the Resolution Professional of A-72 and A-73 companies as it was stated that these companies were under liquidation process. In response to the said notice, Sh. Reetesh Kumar Aggarwal, Resolution Professional, has joined the proceedings through VC today and the above fact is confirmed by him. Let him handover the necessary documents in this regard, along with a status report of the proceedings, to the IO and IO is directed to collect it and place on record by next date.

It is already on record that the CrI. M. C. No. 6571/2022 filed by the ED against the order of this court directing supply of unrelayed documents to the accused is fixed for hearing before the Hon'ble High Court on 15.02.2024 and interim stay order is still in operation.

Hence, in view of the above and as jointly requested, the matter is now directed to be listed on **19.02.2024** at **10am** on

the pending application filed U/S 190 r/w Section 193 Cr.P.C. on behalf of A-5/awaiting further orders of the Hon'ble High Court in above said petition/replies to the applications filed on behalf of A-1 and/or A-2/further proceedings.

(M. K. Nagpal)
Special Judge (PC Act) (CBI)-09,
(MPs/MLAs Cases), RADC,
New Delhi/15.01.2024

At 4.00 pm

Present: Sh. Siddharth Arora, Ld. Counsel for A-74 Surender Kumar Bansal.

Vide separate order announced in open court today, application moved on behalf of A-74 to visit abroad stands allowed and disposed of subject to the terms and conditions contained in said order.

Let a hard copy of the order be given dasti to the applicant/his counsel and an e-copy of the same be also provided to IO/Ld. SPP for ED through Whatsapp/e-mail.

Put up the matter on the date already fixed i.e. **19.02.2024 at 10 am** for the purpose fixed.

(M. K. Nagpal)
Special Judge (PC Act) (CBI)-09,
(MPs/MLAs Cases), RADC,
New Delhi/15.01.2024