

ITEM NO.MM-2

COURT NO.11

SECTION XIV

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

CONTEMPT PETITION(C)NO.224 OF 2011 IN
CIVIL APPEAL NO(s). 10660 OF 2010

RAJESHWAR SINGH

PETITIONER (s)

VERSUS

SUBRATA ROY SAHARA AND OTHERS

Respondent(s)

Date: 06/05/2011 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI
HON'BLE MR. JUSTICE ASOK KUMAR GANGULY

For Petitioner(s) Mr. K.K. Venugopal, Sr.Adv.
Mr. H.P. Raval, A.S.G.
Ms. Indira Jaising, A.S.G.
Mr. Rajiv Nanda, Adv.
Mr. Gopal Sankaranarayanan, Adv.
Mr. Anirudh Sharma, Adv.
Mr. Harish N. Parekh, Adv.
Ms. Sonam Anand, Adv.

For Respondent(s) Mr. Sidharth Luthra, Sr.Adv.
Mr. Gaurav Kejriwal, Adv.
Mr. Keshav Mohan, Adv.
[for respondent nos.1 and 2]

Mr. C.D. Singh, Adv.
[for respondent no.3]

UPON hearing counsel the Court made the following
O R D E R

In the main case i.e. Civil Appeal No.10660 of
2010 titled "Center for Public Interest Litigation and
others v. Union of India and others", this Court had,

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on 16.3.2011, issued the following direction:

"While adjourning the case, we make it clear that
no one including the newspapers shall interfere
with the functioning of the CBI team and the
officers of the Enforcement Directorate who are
investigating what has been described as 2-G scam
and the Court will take serious cognizance of any
endeavour made by any person or group of persons
in this regard."

Shri Rajeshwar Singh, Assistant Director of
Enforcement in the Directorate of Enforcement, who is
investigating the case with reference to the Prevention
of Money Laundering Act, 2002 (for short, "the Act")
issued summons dated 2.2.2011 and 30.3.2011 to the
Managing Director of M/s. Sahara Prime City Ltd. and M/
s. India Commercial Corporation Ltd. under Section

50(2) and (3) of the Act requiring him to appear along with the documents mentioned in the schedule appended to the summons.

On 5.5.2011, a communication was sent to Shri Rajeshwar Singh by one Shri Subodh Jain, who described himself as reporter of Sahara Samay, asking him to answer 25 questions with an indication that Sahara News Network is planning to do a series of stories based on the documents allegedly in its possession.

Shri K.K. Venugopal, learned senior counsel representing the C.B.I. and the Enforcement Directorate in Civil Appeal No.10660 of 2010 submitted that all the questions contained in the communication of Shri Subodh Jain are absolutely personal to Shri Rajeshwar Singh and are intended to threaten him with adverse publicity apparently because he has issued summons to the Managing Director of the organisation. Shri Venugopal

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then produced two sealed envelopes and stated that the same contain the answers prepared by Shri Rajeshwar Singh to the 25 questions. The sealed envelopes were opened. We have perused the answers prepared by Shri Rajeshwar Singh.

We are prima facie satisfied that an attempt has been made to interfere with the investigation being conducted by Shri Rajeshwar Singh in what has been described as 2G Scam and related matters by trying to pressurize him not to proceed with the investigation qua certain individuals. Therefore, we take suo motu cognizance and direct issue of notice.

Shri Gaurav Kejriwal, Advocate assisting Shri Sidharth Luthra, learned senior counsel accepts notice on behalf of respondent Nos.1 and 2. Shri C.D. Singh, Advocate accepts notice for respondent No.3.

Reply affidavits be filed within six weeks. Further affidavit of Shri Rajeshwar Singh may be filed within next two weeks.

List the case on 11th July, 2011.

Shri Luthra says that during the pendency of this petition and the main case, his clients or any employee of M/s. Sahara India TV Network, NOIDA, U.P. - a unit of Sahara India Commercial Corporation Ltd. and Sahara India Mass Communication, NOIDA, U.P. will not do or publish any story or programme concerning Shri Rajeshwar Singh, Assistant Director, Enforcement Directorate, Government of India.

The envelopes produced by Shri K.K. Venugopal are taken on record. The Court Masters are directed to reseal the same. The needful has been done.

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(A.D. Sharma)
Court Master

(Phoolan Wati Arora)
Court Master