

RC No. : 217-2011-A-0004  
Branch : CBI/ACU-V/ACU(II)/ND  
U/S : 120B r/w 13(1) (d) PC Act, 1988  
CBI Vs. (1) M/s China Railway Shisiju Group Corporation  
(2) Jiashu Zhao

16.09.2020

Matter is taken up today and the proceedings are conducted through Video Conferencing (CISCO WEBEX) as per directions of Hon'ble High Court issued vide Circular No.322/DHC/2020 dated 15.08.2020 in view of the pandemic Covid-19.

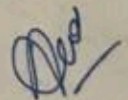
Present: Sh. V.K.Ohja, Ld. Sr. PP for CBI.

Some clarifications are required regarding email ID of accused Jiashu Zhao.

Ld. Sr PP for CBI seeks some time to seek necessary information from IO.

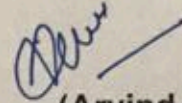
**Put up on 21.09.2020 for consideration.**

Signed copy of this order is being sent through whatsapp to Ahlmad of this Court with direction to send the same to concerned official of



District Court, RADC for uploading on official website of Delhi District Court.

The signed hard copy of the order shall be placed on record as and when the regular functioning of the Courts at Rouse Avenue Complex, New Delhi is resumed.



**(Arvind Kumar)**  
**Special Judge (PC Act) CBI-10**  
**Rouse Avenue Courts**  
**New Delhi/16.09.2020**

CC No. : 02/2013  
RC No. : AC 1 2012 A 0008  
Branch : CBI/ACU(II)/ND  
U/S : 20B r/w 471 IPC & Sec. 13(2)  
r/w 13(1) (d) PC Act, 1988  
CBI Vs. Derek Philips etc.

16.09.2020

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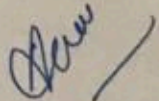
Present: Sh. V.K.Ojha, Ld. Sr. PPfor CBI.

Ld. Counsel for CBI submits that IO will file the status report on the next date of hearing.

**Put up on 21.09.2020 for filing status report by IO.**

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(Arvind Kumar)  
Special Judge (PC Act) CBI-10  
Rouse Avenue Courts  
New Delhi/16.09.2020

IN THE COURT OF ARVIND KUMAR, SPECIAL JUDGE  
CBI-10: ROUSE AVENUE COURTS: NEW DELHI

CC No : 01/2015  
ECIR : DLZO/15/2014/AD(VM)  
U/S : 3 and 4 of PMLA Act  
ED Vs. Gautam Khaitan & Ors.

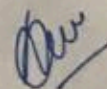
16.09.2020

Matter is taken up today and the proceedings are conducted through Video Conferencing (CISCO WEBEX) as per directions of Hon'ble High Court issued vide Circular No.322/RG/DHC/2020 dated 15.08.2020 in view of the pandemic Covid-19.

ORDER

1. Vide this order I will be disposing of an application filed by Enforcement Directorate seeking permission to examine and to record the statement U/s 50 (2) and 50 (3) PMLA, 2000 of accused Christian Michel James.

2. Ld. Counsel for the Enforcement Directorate submitted that on 12.03.2013, the CBI registered a case vide FIR No. RC217-2013A-003 against Christian Michel James and others allegedly for commission of offences punishable under Section 120B r/w Section 420 IPC and Sections 7, 8, 9, 12, 13(2) r/w 13(1) (d) of P.C. Act, 1988, on the basis of complaint dated

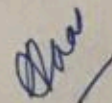


12.02.2013 submitted by the Ministry of Defence. The investigation inter alia revealed that out of the total kickbacks paid by AgustaWestland, a British citizen Christian Michel James was allegedly paid Euro 42 Million in the deal of 12 VVIP Helicopters. Since Section 120B r/w 420 IPC and Section 7, 8, 9, 13 of P.C. Act, 1988 are the schedule offences of the Prevention of Money Laundering Act, 2002 in term of Section 2(1)(y) under Part-A of the schedule of said Act the ECIR was recorded on 03.07.2014.

3. Ld. Counsel for Enforcement Directorate submitted that seven prosecution complaints on the basis of the investigation conducted till date, while further investigation is still on going to determine the last mile connectivity of the proceeds of crime. It is submitted that during earlier interrogations Christian Michel James had undertaken to provide certain documents/evidence to unearth how the tainted money was routed and laundered i.e. further money trail showing the role of different persons.

4. Ld. Counsel for Enforcement Directorate submitted that certain documents which were received in response to LR issued by this Court are required to be confronted to Christian Michel James to unearth how the kickbacks are routed and laundered and how/why whom the said tainted money was placed, layered and integrated in the financial system.

5. Ld. Counsel for the Enforcement Directorate submitted that it is necessary to examine Christian Michel James and to record his statement U/S 50 (2) and 50 (3) of PMLA, 2002 for the purpose of investigation in accordance with provisions contained under the said Act. It is submitted that Enforcement Directorate is seeking permission for its officials to visit Tihar Jail to interrogate and record the statement of accused Christian Michel James. Ld. Counsel for ED also submitted that series of illegal transactions are involved in the present matter and ED is making every effort to expedite the investigation.



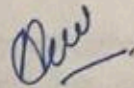
6. On the other hand Ld. Counsel for accused submits that accused has no objection to the interrogation by the ED and accused shall cooperate during investigation, if any. Ld. Counsel for the accused submitted that accused is behind the bar for long time and the investigation of the ED is still pending and there is no incriminating material against the accused.
7. I have gone through the material on record.
8. ED has filed this application to interrogate and record the statement of accused Christian Michel James who is in JC and for confronting him with documents received in response to LR. Notice of the application was issued to accused keeping in view his right to get legal assistance during interrogation.
9. Thus considering the facts and circumstances, the ED officials namely Ms. Ramanjit Kaur Sethi, Joint Director along with Sh. Yogeshwar, DD and Sh. Tarun, AEO, officials of ED are permitted to visit Tihar Jail on 21.09.2020 and 22.09.2020 from 10.00 am to 01.00 pm and 2.00 pm to 4.30 pm to interrogate the accused. However, the aforesaid interrogation shall be conducted by ED officials in presence of Jail Superintendent or any jail official authorized by him. The ED officials as well as Jail Superintendent shall maintain and follow necessary guidelines in respect of Covid-19 pandemic.
10. Ld. Counsel for accused submits that he may also be permitted to render legal assistance to accused during interrogation.
12. Considering the facts and circumstances, Ld. Counsel of the accused, namely Sh. Aljo Joseph is permitted to visit Tihar Jail and provide legal assistance to accused on 21.09.2020 and 22.09.2020 from 4.30 pm to 05.15 pm.



11. The jail authorities shall make necessary arrangements in this regard.

12. Copy of this order be sent to Jail authorities through whatsapp/email. Copy of this order be also given to ED officials as well as Ld. Counsel for accused.

(Announced through Cisco  
Webex on 16.09.2020)

  
(Arvind Kumar)  
Special Judge CBI-10  
Rouse Avenue Courts  
New Delhi

CC No. : 01/2015  
ECR No. : DLZO/15/2014/AD(VM)  
U/S : 3 & 4 of PMLA Act  
ED Vs. Gautam Khaitan & Ors.

16.09.2020

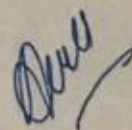
Matter is taken up today and the proceedings are conducted through Video Conferencing (Cisco webex) as per directions of Hon'ble High Court issued vide Circular No.322/DHC/2020 dated 15.08.2020 in view of the pandemic Covid-19.

Present: Sh. N.K. Matta and Sh. Mohd. Faraz, Ld. SPPs  
for Enforcement Directorate.

Vide separate order, the application filed by Enforcement Directorate to interrogate Christian Michel James in Tihar Jail, is allowed.

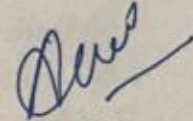
Copy of order be sent to Jail Authorities and concerned parties through whatapp/email.

Signed copy of this order is being sent through whatsapp to Ahlmad of this Court with direction to send the same to concerned official of District Court, RADC for uploading on official website of Delhi District court.





The signed hard copy of the order shall be placed on record as and when the regular functioning of the Courts at Rouse Avenue Complex, New Delhi is resumed.



**(Arvind Kumar)**  
**Special Judge CBI-10**  
**Rouse Avenue Courts**  
**New Delhi/16.09.2020**

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U/S : 3 & 4 of PMLA Act  
ED Vs. Gautam Khaitan & Ors.

16.09.2020 (01.10 pm)

At this stage Reader has pointed out that in the order passed today there is some discrepancy in para numbers.

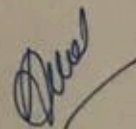
I have gone through the order passed by the undersigned today.

There is some typographical mistake while numbering the paragraphs. The same is corrected and initialled by me.

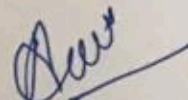
Copy of this order as well as the corrected order be sent to concerned parties through whatsapp/email.

Signed copy of this order as well as corrected order is being sent through whatsapp to Ahlmad of this Court with direction to send the same to concerned official of District Court, RADDC for uploading on official website of Delhi District court.

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Complex, New Delhi is resumed.



**(Arvind Kumar)**  
**Special Judge CBI-10**  
**Rouse Avenue Courts**  
**New Delhi/16.09.2020**

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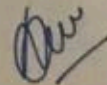
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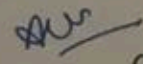
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<sup>1</sup>  
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11.<sup>2</sup> AK

The jail authorities shall make necessary arrangements in this regard.

12.<sup>3</sup> AK

Copy of this order be sent to Jail authorities through whatsapp/email. Copy of this order be also given to ED officials as well as Ld. Counsel for accused.

(Announced through Cisco Webex on 16.09.2020)

AK

(Arvind Kumar)  
Special Judge CBI-10  
Rouse Avenue Courts  
New Delhi