

IN THE COURT OF MS. NIRJA BHATIA, SPECIAL JUDGE, PC ACT
(CBI)-03, ROUSE AVENUE DISTRICT COURT, NEW DELHI

C.C.No. 14/2019
CBI Vs. Ramjee Singh

25.09.2020

Present: Sh. Praneet Sharma, Id. Sr. PP for CBI with IO/Insp. Amit Wanger and IO/DSP Sh. Lalit Phular
Sh. Kundan Kumar & Sh. Jitender Kumar, Id. Counsels on behalf of the applicant / accused Ramjee Singh

By this order, I propose to decide the applications dated (i) 23.03.2018; (ii) 23.05.2019; (iii) 23.05.2019; (iv) 23.05.2019; and, (v) 04.07.2019 made by accused/applicant Ramjee Singh for de-freezing of accounts / FDRs, which were seized during investigation of the present case. It is submitted that the IO made seizure of the following accounts :

Sl.No.	Name of Account	Account Nos.	Type of Account	Status of Account
1.	G.D.Memorial homeopathic Medical College and Hospital in the Bank of India Branch, Rajender Nagar Colony	1) 440745100002959 2) 440745110003517 3) 440745110003518 4) 440745110007679	FDRs	Freezed
2.	G.D. Memorial Trust in the Bank of India Branch, Rajendra	1) 440745110004711 2) 440745110004713	FDRs	Freezed

	Nagar Colony		
3.	G.D. Memorial Trust 440720100001763 in the Bank of India Branch, Rajendra Nagar Colony	Trust Account	Freezed
4.	G.D. Memorial 440720100001614 Hemopathy Medical College and Hospital, in the Bank of India Branch, Rajendra Nagar Colony	College Salary Account	De-Freezed on 20.04.2018 (conditional) subject to maintaining minimum balance of Rs. 1.5 Crore
5.	G.D. Memorial 440745100003561 Development Foundation, in the Bank of India Branch, Rajendra Nagar Colony	FDRs	Freezed
6.	Dr. Ramjee Singh in 440745100003874 the bank of India Branch - Rajendra Nagar Colony	FDRs	Freeezed
7.	Dr. Ramjee Singh in 44727100011613 the bank of India Branch - Rajendra Nagar Colony	FDRs	De-Freezed on 20.04.2018
8.	Dr. Ramjee Singh in 50215745121 the Allahabad bank- Main Branch Patna, Bihar	Loan Account	De-Freezed on 20.04.2018

9.	Dr. Ramjee Singh in the Allahabad bank- Main Branch Patna, Bihar	20064944661	FDRs	Freezed
10.	Dr. Ramjee Singh in the Allahabad bank- Budh Marg, Post Box no. 35 Patna- Gaya Road Patna- 8000001, Bihar	50207584002	FDRs	Freezed
11.	Dr. Ramjee Singh in the Allahabad bank- Boring Road Patna	50294432691	FDRs	Freezed
12.	Dr. Ramjee Singh in the Allahabad bank- Main Branch Patna, Bihar	20064864388	Saving Account	De-Freezed
13.	Dr. Ramjee Singh in the ICICI Bank, Branch - Shahi Bhawan Exhibition Road, Patna	625901131231	HUF account	De-Freezed on 20.04.2018
14.	G.D.Memorial Homoeopathic Medical College and Hospital, in the ICICI Bank-Main Branch Patna	625901131182	Current Account	De-Freezed

While most of the accounts are shown to be belonging to GD Memorial Homeopathic Medical College and Hospital, G.D. Memorial

Trust and G.D. Memorial Development Foundation. Few stands in the individual name of accused Ramjee Singh.

It is submitted that the Trust, Foundation and College have not been made accused while the investigation is finalized and charge sheet is filed on 19.12.2016. Even, the supplementary charge-sheet also sands filed on 23.01.2020. No averment, allegation or imputation stands in the name of the Trust, Foundation and College has been shown though their accounts stand freezed till date. It is submitted that few of the accounts of the accused seized and belonging to him in personal capacity though were de-freezed vide order dated 24.04.2018 as there was no objection given against the same. The large amounts in the accounts of Trust, Foundation and College are still unseized. It is reiterated that none of the accounts have any connection with the applicant in his personal capacity and that no other official / office bearer etc. of the Trust, Foundation and College have been made accused and/or no criminal proceedings against Trust, Foundation or College are pending.

The aforesaid written submissions are found upon the application w/s 451 Cr.P.C. dated 13.03.2018 pertaining to the current bank account no. 440720100001763 (total amounting to Rs. 7 crores 39 lacs/-) in the Bank of India, Rajendra Nagar Colony Branch, Patna and also account no. 440727100011613 (total amounting to Rs. 15,00,000/-) in the name of G.D. Memoraial Development Foundations Trust in the Bank of India, Rajendra Nagar Colony, Branch, Patna based out of the submission that no investigation is pending against the Trust and/or the Trust is not made the

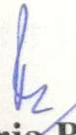
accused in the present proceedings. While it is averred that the applicant is duly authorized to move the application by the Trust Members and authorization has placed on record.

Joint replies have been filed by the IO/DSP Sh. Lalit Phular wherein it is stated that the proceedings against the accused ensued subsequent to the trap dated 21.10.2016 while he was found collecting cash of Rs. 20 lacs from one Sh. Samkit Shah of M/s. Shashvat Jewellers Pvt. Ltd. and the proceedings have been filed u/s 120-B IPC Sec. 7,8,12 & 13(2)r/w 13(1)(d) of PC Act, 1988 and the bank accounts mentioned in the application pertaining to the Trust were seized for verification as it is alleged that accused took the plea that the transactions are received in cash, draft and cheques which are made by different owners who deposited the amounts for purpose of running the college. He also obtained sufficient time for the aforesaid purpose.

Inquiry is made from the IO regarding the seizure of the account held by the Trust namely G.D.Memorial Trust. IO is also asked that how the Trust, College and Foundation accounts are connected to the ill-gotten/tainted amounts, if at all there is any such material. IO admits that the present is the trap case and that the Trust/College and Foundation are separate entities from accused Ramjee Singh. He admits that during the investigation of trap proceedings, no material was available to connect with the account held by the Trust etc, which are separate entities. It is further admitted that there is no allegation against the Trust/Foundation and/or College *per se*.

Ld. PP at this stage has averred that in case of trap it is incumbent to expand the scope of investigation as mandated by law to find any case of disproportionate assets, however, ld. PP has not reflected from any material on record and/or otherwise that how any ill act alleged on the part of the applicant and/or ill-gotten money collected allegedly by the applicant can lead to disproportionate assets case qua the Trust or the College and/or Foundation whose accounts are seized. There is no investigation regarding the activities of Trust, least there is no complaint on record or any such material to suggest what led IO to the seizure of these accounts. IO now submits that the investigation is complete and nothing has come on record to justify the continuation of seizure of the account of the Trust, however, he is not willing to make any clear submission on record without approval from his superiors. He seeks passover for taking appropriate approval from their superiors. Passover sought allowed

Put up at 11.30 AM.


(Nirja Bhatia)

Spl. Judge PC Act (CBI)-03,
RADC, New Delhi/25.09.2020

(At 11.30AM)

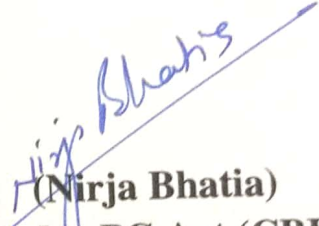
Matter taken up again

Present: Sh. Praneet Sharma, ld. Sr. PP for CBI with IO/Insp. Amit Wangar and then IO/DSP Sh. Lalit Phular

Sh. Kundan Kumar & Sh.Jitender Kumar, Id. Counsels on behalf of the applicant / accused Ramjee Singh

Both IO and HIO submit that they cannot make any further submission as had been instructed by their SP, as the SP is not in town and he is busy in investigation of some other case. They also seek to retract the earlier submissions made, however, have added that the actions taken qua the search and seizure of the Trust were based on the directions given to them by their superiors.

Having regard to the aforesaid, IO/HIO are directed to place the case diary for perusal for which the matter now be listed on **30.09.2020**. Let the SP concerned be present in person on the said date for giving clarifications on the aforesaid.


(Nirja Bhatia)
**Spl. Judge PC Act (CBI)-03,
RADC, New Delhi/25.09.2020**