

CC No. 319/19 (Old CC No. 58/2016)
RC No. 219 2014 E 0020
Branch: CBI/EO-I/New Delhi
CBI vs M/s Himachal EMTA Power Ltd. & Ors.
U/s 120-B r/w Sec. 420 IPC & Sec. 420 IPC

20.08.2020.

Matter taken up today in compliance of Office Order No. Power/Gaz./RADC/2020/E-8959-9029 dated 16.08.2020 and also in continuation to orders No.819-903/DJ/RADC/2020 dated 16.05.2020, No. E1792-1876/DJ/RADC/2020 dated 22.05.2020, No. E-2574-2639/DJ/RADC/2020 dated 29.05.2020, No. E-3943-4029/DJ/RADC/2020 dated 13.06.2020, No. E-4121-4205/DJ/RADC/2020 dated 15.06.2020 and No. Power/Gaz./RADC/2020/E-5577-5661 Dated 29.06.2020, Power/Gaz./RADC/2020/E-6836-6919 Dated 14.07.2020 and Power/Gaz./RADC/2020/E-7784-7871 dated 30.07.2020 of Ld. District & Sessions Judge-Cum-Spl. Judge (PC ACT) (CBI) Rouse Avenue District Court, New Delhi.

The present matter is being taken up today through video conferencing as regular functioning of the Courts at District Courts has been suspended since 23.03.2020 vide office orders of Hon'ble High Court of Delhi bearing Nos. 373/Estt./E1/DHC dated 23.03.2020, No.159/RG/DHC/2020 dated 25.03.2020, No.R-77/RG/DHC/2020 dated 15.04.2020, No. R-159/RG/DHC/2020 dated 02.05.2020, No. R-235/RG/DHC/2020 dated 16.05.2020, R-305 /RG/DHC/2020 dated 21.05.2020, No.1347/DHC/2020 dated 29.05.2020, No.17/DHC/2020 dated 13.06.2020, No.22/DHC/2020 dated 29.06.2020, No. 24/DHC/2020 dated 13.07.2020, No. 26 /DHC/2020 dated 30.07.2020 and No. 322/RG/DHC/2020 Dated: 15.08.2020.

The hearing of the present matter is being taken up via Cisco WebEx Platform in the presence (onscreen) of:

Present: Ld. Senior PP Sh. A.P. Singh, Ld. DLA Sh. V.K. Sharma, Ld. DLA Sh. Sanjay Kumar for CBI along with IO Dy. SP. Sanjay Sehgal. Advocate Sh. Akshay Nagarajan on behalf of Ld. Special PP Sh. R.S. Cheema.

A-2 Ujjal Kumar Upadhyay is present.

A-3 Bikash Mukherjee (also AR of A-1 company M/s Himachal Emta Power Ltd.) is present.

Ld. Counsels Sh. Vijay Aggarwal, Sh. Mudit Jain and Sh. Nagesh Behl for A-2 Ujjal Kumar Upadhyay, A-3 Bikash Mukherjee (also AR

of A-1 company M/s Himachal Emta Power Ltd.), and A-4 Nirmal Chandra Chakraborty.

Yesterday i.e. on 19.08.2020 on the official E-mail ID of this Court, Ld. Counsel Sh. Nagesh Behl on behalf of A-1 to A-4 has supplied answers to some of the question (Q.1 to Q-29) which already stand supplied to the accused persons u/s 313 Cr. PC.

APPLICATION BY AND ON BEHALF OF THE APPLICANT /ACCUSED NO. 1 M/S HIMACHAL EMTA POWER LTD. THROUGH ITS AUTHORISED SIGNATORY FOR REQUESTING THE COURT TO DECIDE THE OBJECTION FORTHWITH RAISED BY THE ACCUSED QUA THE DOCUMENT MARKED AS EXHIBIT BY THE PROSECUTION WITNESS IN EVIDENCE.

Present application has been moved yesterday i.e. on 19.08.2020 only, on the official Email ID of this Court, by Ld. Counsel Sh. Nagesh Behl on behalf of A-1 M/s Himachal Emta Power Ltd.

Ld. Counsel is requested to place hard copy of the present application in the judicial file as and when normal functioning of the courts is resumed.

Arguments on the present application have been heard as advanced by Ld. Defence Counsel Sh. Vijay Aggarwal on behalf of A-1 M/s Himachal Emta Power Ltd. and Ld. Senior PP Sh. A.P. Singh on behalf of Prosecution.

Arguments in rebuttal have also been heard as advanced by Ld. Counsel Sh. Vijay Aggarwal.

Today, Ld. Counsel Sh. Vijay Aggarwal has also filed, on the official E-mail ID of this Court, the written submissions in support of his arguments.

Ld. Counsel is requested that a copy thereof be also placed in the judicial file as and when normal functioning of the courts is resumed.

Matter be now put up on 18.09.2020 for consideration on aforesaid application of A-1 M/s Himachal Emta Power Ltd.

In the meantime, Ld. Defence Counsel Sh. Vijay Aggarwal has been asked to provide answers to the remaining questions *in soft copy* as far as possible by the next date of hearing to the Reader of this Court on the official email of the court.

The signatures of the accused persons on their statement u/s 313 Cr. PC shall be obtained subsequently after normal functioning of the court is resumed.

Accused persons shall also be at liberty to file written statements u/s 313 (5) Cr. PC, if they so desire.

A scanned signed copy of this order is being sent to Sh. Mukesh JJA, Computer Branch, RADDC via WhatsApp for uploading it on the official website of Delhi District Courts.

A copy of order is being retained, to be placed in the judicial file as and when normal functioning of the courts is resumed.

The present order has been dictated on phone to Steno Pawan Singhania.

BHARAT
PARASHAR

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PARASHAR
Date: 2020.08.20 17:31:39
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**(Bharat Parashar)
Special Judge, (PC Act)
(CBI), Court No. 608
Rouse Avenue District Court
New Delhi
20.08.2020.**

CC No. 105/2019 (old CC Nos. 8532/2016 & 06/15)
RC No. 219 2012 E 0010
Branch: CBI/EOU-IV/New Delhi
CBI Vs. Manoj Kumar Jaiswal & Ors.
(M/s JLD Yavatmal Energy Ltd.)
U/s. 120-B, 120-B/ 409/420 IPC; & Sec. 13(1) (c)/13 (1) (d) P.C. Act 1988

20.08.2020.

Matter taken up today in compliance of Office Order No. Power/Gaz./RADC/2020/E-8959-9029 dated 16.08.2020 and also in continuation to orders No.819-903/DJ/RADC/2020 dated 16.05.2020, No. E1792-1876/DJ/RADC/2020 dated 22.05.2020, No. E-2574-2639/DJ/RADC/2020 dated 29.05.2020, No. E-3943-4029/DJ/RADC/2020 dated 13.06.2020, No. E-4121-4205/DJ/RADC/2020 dated 15.06.2020 and No. Power/Gaz./RADC/2020/E-5577-5661 Dated 29.06.2020, Power/Gaz./RADC/2020/E-6836-6919 Dated 14.07.2020 and Power/Gaz./RADC/2020/E-7784-7871 dated 30.07.2020 of Ld. District & Sessions Judge-Cum-Spl. Judge (PC ACT) (CBI) Rouse Avenue District Court, New Delhi.

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Case taken up today on application moved on official E-mail ID of this Court, on behalf of accused/applicant Devendra Darda seeking release of FDR deposited in terms of Order dated 04.02.2020.

The hearing of the present matter is being taken up via Cisco WebEx Platform in the presence (onscreen) of:

Present: Ld. Senior PP Sh. A.P. Singh, Ld. DLA Sh. V.K. Sharma and Ld. DLA Sh. Sanjay Kumar for CBI.

Ld. Counsel Sh. Vijay Aggarwal for applicant/accused Devendra Darda.

APPLICATION BY AND ON BEHALF OF THE APPLICANT/ACCUSED DEVENDRA DARDA, PRAYING THIS HON'BLE COURT FOR RELEASE OF FDR.

Ld. Counsel for applicant/accused has moved the present application submitting therein that applicant/accused had deposited FDR of Rs. 20,00,000/- (Rs. Twenty Lakhs Only) in this Court in compliance of Order dated 04.02.2020 granting him permission to travel abroad and that due to COVID-2019 applicant/accused may not be traveling abroad in near future and further that applicant/accused is in urgent need of money. It has been further submitted in the application that applicant/accused has authorized Sh. Mayank Pachauri to collect original FDR on his behalf. Authorization letter authorizing Advocate Sh. Mayank Pachauri is also annexed with the present application as Annexure-B.

Ld. Senior PP Sh. A.P. Singh submits that he has objection if the FDR is returned to applicant/accused or his authorized representative.

Heard. Perused.

In view of the submissions made and considering the facts and circumstances of the case, present application under consideration is allowed.

Ahlmad is directed to release the FDR to applicant/accused or his authorized representative, against due acknowledgment.

Accordingly, application under consideration stands disposed off.

Ld. Counsel Sh. Vijay Aggarwal for applicant/accused submitted that as the physical functioning of Courts is expected to resume from 01.09.2020, so concerned/authorized person will collect the FDR only after 01.09.2020, whenever the physical functioning of Court is resumed.

Heard. Allowed.

Matter be now put up on date already fixed.

A scanned signed copy of this order is being sent to Sh. Mukesh JJA, Computer Branch, RADC via WhatsApp for uploading it on the official website of Delhi District Courts.

A copy of order is being retained, to be placed in the judicial file as and when normal functioning of the courts is resumed.

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(Bharat Parashar)
Special Judge, (PC Act)
(CBI)/RACC/ND
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CC No. 105/2019 (old CC Nos. 8532/2016 & 06/15)
RC No. 219 2012 E 0010
Branch: CBI/EOU-IV/New Delhi
CBI Vs. Manoj Kumar Jaiswal & Ors.
(M/s JLD Yavatmal Energy Ltd.)
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Case taken up today on application moved on official E-mail ID of this Court, on behalf of accused/applicant Vijay Darda seeking release of FDR deposited in terms of Order dated 04.02.2020.

The hearing of the present matter is being taken up via Cisco WebEx Platform in the presence (onscreen) of:

Present: Ld. Senior PP Sh. A.P. Singh, Ld. DLA Sh. V.K. Sharma and Ld. DLA Sh. Sanjay Kumar for CBI.

Ld. Counsel Sh. Vijay Aggarwal for applicant/accused Vijay Darda.

APPLICATION BY AND ON BEHALF OF THE APPLICANT/ACCUSED VIJAY DARDA, PRAYING THIS HON'BLE COURT FOR RELEASE OF FDR.

Ld. Counsel for applicant/accused has moved the present application submitting therein that applicant/accused had deposited FDR of Rs. 20,00,000/- (Rs. Twenty Lakhs Only) in this Court in compliance of Order dated 04.02.2020 granting him permission to travel abroad and that due to COVID-2019 applicant/accused may not be traveling abroad in near future and further that applicant/accused is in urgent need of money. It has been further submitted in the application that applicant/accused has authorized Sh. Mayank Pachauri to collect original FDR on his behalf. Authorization letter authorizing Advocate Sh. Mayank Pachauri is also annexed with the present application as Annexure-B.

Ld. Senior PP Sh. A.P. Singh submits that he has objection if the FDR is returned to applicant/accused or his authorized representative.

Heard. Perused.

In view of the submissions made and considering the facts and circumstances of the case, present application under consideration is allowed.

Ahlmad is directed to release the FDR to applicant/accused or his authorized representative, against due acknowledgment.

Accordingly, application under consideration stands disposed off.

Ld. Counsel Sh. Vijay Aggarwal for applicant/accused submitted that as the physical functioning of Courts is expected to resume from 01.09.2020, so concerned/authorized person will collect the FDR only after 01.09.2020, whenever the physical functioning of Court is resumed.

Heard. Allowed.

Matter be now put up on date already fixed.

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(Bharat Parashar)
Special Judge, (PC Act)
(CBI)/RACC/ND
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CC No. 316/2019 (OLD CC NOS. 75/2016 & 01/14)
RC No. 219 2012 E 0009
Branch: CBI/EOU-IV/N Delhi
CBI Vs. Manoj Kumar Jayaswal
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U/s. 120-B, 120-B/ 409/420 IPC,
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Case taken up today on application moved on official E-mail ID of this Court, on behalf of accused/applicant Devendra Darda seeking release of FDR deposited in terms of Order dated 04.02.2020.

The hearing of the present matter is being taken up via Cisco WebEx Platform in the presence (onscreen) of:

Present: Ld. Senior PP Sh. A.P. Singh, Ld. DLA Sh. V.K. Sharma and Ld. DLA Sh. Sanjay Kumar for CBI.

Ld. Counsel Sh. Vijay Aggarwal for applicant/accused Devendra

Darda.

APPLICATION BY AND ON BEHALF OF THE APPLICANT/ACCUSED DEVENDRA DARDA, PRAYING THIS HON'BLE COURT FOR RELEASE OF FDR.

Ld. Counsel for applicant/accused has moved the present application submitting therein that applicant/accused had deposited FDR of Rs. 20,00,000/- (Rs. Twenty Lakhs Only) in this Court in compliance of Order dated 04.02.2020 granting him permission to travel abroad and that due to COVID-2019 applicant/accused may not be traveling abroad in near future and further that applicant/accused is in urgent need of money. It has been further submitted in the application that applicant/accused has authorized Sh. Mayank Pachauri to collect original FDR on his behalf. Authorization letter authorizing Advocate Sh. Mayank Pachauri is also annexed with the present application as Annexure-B.

Ld. Senior PP Sh. A.P. Singh submits that he has objection if the FDR is returned to applicant/accused or his authorized representative.

Heard. Perused.

In view of the submissions made and considering the facts and circumstances of the case, present application under consideration is allowed.

Ahlmad is directed to release the FDR to applicant/accused or his authorized representative, against due acknowledgment.

Accordingly, application under consideration stands disposed off.

Ld. Counsel Sh. Vijay Aggarwal for applicant/accused submitted that as the physical functioning of Courts is expected to resume from 01.09.2020, so concerned/authorized person will collect the FDR only after 01.09.2020, whenever the physical functioning of Court is resumed.

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CBI Vs. Manoj Kumar Jayaswal
(M/s AMR Iron & Steel Pvt. Ltd.)
U/s. 120-B, 120-B/ 409/420 IPC,
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Ld. Counsel Sh. Vijay Aggarwal for applicant/accused Vijay

Darda.

APPLICATION BY AND ON BEHALF OF THE APPLICANT/ACCUSED VIJAY DARDA, PRAYING THIS HON'BLE COURT FOR RELEASE OF FDR.

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Ld. Senior PP Sh. A.P. Singh submits that he has objection if the FDR is returned to applicant/accused or his authorized representative.

Heard. Perused.

In view of the submissions made and considering the facts and circumstances of the case, present application under consideration is allowed.

Ahlmad is directed to release the FDR to applicant/accused or his authorized representative, against due acknowledgment.

Accordingly, application under consideration stands disposed off.

Ld. Counsel Sh. Vijay Aggarwal for applicant/accused submitted that as the physical functioning of Courts is expected to resume from 01.09.2020, so concerned/authorized person will collect the FDR only after 01.09.2020, whenever the physical functioning of Court is resumed.

Heard. Allowed.

Matter be now put up on date already fixed.

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(Bharat Parashar)
Special Judge, (PC Act)
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20.08.2020.

**CRC No. 8/19, (Old CRC Nos. 24/16 & 02/16)
ECIR No. ECIR/03/HIU/2013
Directorate of Enforcement, Chhatisgarh
Vs. M/s AMR Iron & Steel Pvt. Ltd. & ors.
U/s. 3 punishable u/s 4 PMLA, 2002**

20.08.2020.

Matter taken up today in compliance of Office Order No. Power/Gaz./RADC/2020/E-8959-9029 dated 16.08.2020 and also in continuation to orders No.819-903/DJ/RADC/2020 dated 16.05.2020, No. E1792-1876/DJ/RADC/2020 dated 22.05.2020, No. E-2574-2639/DJ/RADC/2020 dated 29.05.2020, No. E-3943-4029/DJ/RADC/2020 dated 13.06.2020, No. E-4121-4205/DJ/RADC/2020 dated 15.06.2020 and No. Power/Gaz./RADC/2020/E-5577-5661 Dated 29.06.2020, Power/Gaz./RADC/2020/E-6836-6919 Dated 14.07.2020 and Power/Gaz./RADC/2020/E-7784-7871 dated 30.07.2020 of Ld. District & Sessions Judge-Cum-Spl. Judge (PC ACT) (CBI) Rouse Avenue District Court, New Delhi.

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The hearing of the present matter is being taken up via Cisco WebEx Platform in the presence (onscreen) of:

Present: Ld. Special PP Sh. Naveen Kumar Matta for Enforcement Directorate.

Ld. Counsel Sh. Vijay Aggarwal for applicant/accused Devendra

Darda.

APPLICATION BY AND ON BEHALF OF THE APPLICANT/ACCUSED DEVENDRA DARDA, PRAYING THIS HON'BLE COURT FOR RELEASE OF FDR.

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Ld. Special PP for ED submits that he has objection if the FDR is returned to applicant/accused or his authorized representative.

Heard. Perused.

In view of the submissions made and considering the facts and circumstances of the case, present application under consideration is allowed.

Ahlmad is directed to release the FDR to applicant/accused or his authorized representative, against due acknowledgment.

Accordingly, application under consideration stands disposed off.

Ld. Counsel Sh. Vijay Aggarwal for applicant/accused submitted that as the physical functioning of Courts is expected to resume from 01.09.2020, so concerned/authorized person will collect the FDR only after 01.09.2020, whenever the physical functioning of Court is resumed.

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BHARAT PARASHAR
Date: 2020.08.20
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(Bharat Parashar)
Special Judge, (PC Act)
(CBI)/RACC/ND
20.08.2020.

**CRC No. 8/19, (Old CRC Nos. 24/16 & 02/16)
ECIR No. ECIR/03/HIU/2013
Directorate of Enforcement, Chhatisgarh
Vs. M/s AMR Iron & Steel Pvt. Ltd. & ors.
U/s. 3 punishable u/s 4 PMLA, 2002**

20.08.2020.

Matter taken up today in compliance of Office Order No. Power/Gaz./RADC/2020/E-8959-9029 dated 16.08.2020 and also in continuation to orders No.819-903/DJ/RADC/2020 dated 16.05.2020, No. E1792-1876/DJ/RADC/2020 dated 22.05.2020, No. E-2574-2639/DJ/RADC/2020 dated 29.05.2020, No. E-3943-4029/DJ/RADC/2020 dated 13.06.2020, No. E-4121-4205/DJ/RADC/2020 dated 15.06.2020 and No. Power/Gaz./RADC/2020/E-5577-5661 Dated 29.06.2020, Power/Gaz./RADC/2020/E-6836-6919 Dated 14.07.2020 and Power/Gaz./RADC/2020/E-7784-7871 dated 30.07.2020 of Ld. District & Sessions Judge-Cum-Spl. Judge (PC ACT) (CBI) Rouse Avenue District Court, New Delhi.

The present matter is being taken up today through video conferencing as regular functioning of the Courts at District Courts has been suspended since 23.03.2020 vide office orders of Hon'ble High Court of Delhi bearing Nos. 373/Estt./E1/DHC dated 23.03.2020, No.159/RG/DHC/2020 dated 25.03.2020, No.R-77/RG/DHC/2020 dated 15.04.2020, No. R-159/RG/DHC/2020 dated 02.05.2020, No. R-235/RG/DHC/2020 dated 16.05.2020, R-305 /RG/DHC/2020 dated 21.05.2020, No.1347/DHC/2020 dated 29.05.2020, No.17/DHC/2020 dated 13.06.2020, No.22/DHC/2020 dated 29.06.2020, No. 24/DHC/2020 dated 13.07.2020, No. 26 /DHC/2020 dated 30.07.2020 and No. 322/RG/DHC/2020 Dated: 15.08.2020.

Case taken up today on application moved on official E-mail ID of this Court, on behalf of accused/applicant Vijay Darda seeking release of FDR deposited in terms of Order dated 04.02.2020.

The hearing of the present matter is being taken up via Cisco WebEx Platform in the presence (onscreen) of:

Present: Ld. Special PP Sh. Naveen Kumar Matta for Enforcement Directorate.

Ld. Counsel Sh. Vijay Aggarwal for applicant/accused Vijay

Darda.

APPLICATION BY AND ON BEHALF OF THE APPLICANT/ACCUSED VIJAY DARDA, PRAYING THIS HON'BLE COURT FOR RELEASE OF FDR.

Ld. Counsel for applicant/accused has moved the present application submitting therein that applicant/accused had deposited FDR of Rs. 20,00,000/- (Rs. Twenty Lakhs Only) in this Court in compliance of Order dated 04.02.2020 granting him permission to travel abroad and that due to COVID-2019 applicant/accused may not be traveling abroad in near future and further that applicant/accused is in urgent need of money. It has been further submitted in the application that applicant/accused has authorized Sh. Mayank Pachauri to collect original FDR on his behalf. Authorization letter authorizing Advocate Sh. Mayank Pachauri is also annexed with the present application as Annexure-B.

Ld. Special PP for ED submits that he has objection if the FDR is returned to applicant/accused or his authorized representative.

Heard. Perused.

In view of the submissions made and considering the facts and circumstances of the case, present application under consideration is allowed.

Ahlmad is directed to release the FDR to applicant/accused or his authorized representative, against due acknowledgment.

Accordingly, application under consideration stands disposed off.

Ld. Counsel Sh. Vijay Aggarwal for applicant/accused submitted that as the physical functioning of Courts is expected to resume from 01.09.2020, so concerned/authorized person will collect the FDR only after 01.09.2020, whenever the physical functioning of Court is resumed.

Heard. Allowed.

Matter be now put up on date already fixed.


A scanned signed copy of this order is being sent to Sh. Mukesh JJA,

Computer Branch, RADC via WhatsApp for uploading it on the official website of Delhi District Courts.

A copy of order is being retained, to be placed in the judicial file as and when normal functioning of the courts is resumed.

The present order has been dictated on phone to Steno Pawan Singhania.

BHARAT
PARASHAR



Digitally signed by BHARAT
PARASHAR
Date: 2020.08.20 17:35:21
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(Bharat Parashar)
Special Judge, (PC Act)
(CBI)/RACC/ND
20.08.2020.