

**IN THE COURT OF SH. ARVIND KUMAR: SPECIAL JUDGE
(PC ACT), CBI-10 : ROUSE AVENUE COURTS : NEW DELHI**

**CNR NO : DLCT11-000927-2019
CC No : 01/2015
ECIR : DLZO/15/2014/AD(VM)
U/S : 3 and 4 of PMLA Act
Directorate of Enforcement Vs. Gautam Khaitan & Ors.**

05.04.2021

ORDER

1. Vide this order, I will be disposing of an application filed by accused Anoop Kumar Gupta for bail.

2. Briefly stating the case of prosecution is that a contract for supply of 12 VVIP/non VVIP helicopters was awarded to M/s Agusta Westland International Ltd., UK for an amount of Euro 556.262 million (3726.96 Crores) and an agreement to this effect was executed on 08.02.2010 between Ministry of Defence, Government of India and M/s Agusta Westland international Ltd.

3. Co-accused S.P. Tyagi, during his tenure as Chief of Air Staff, during the period 2005 to 2007, accorded approval and with his approval, Air force conceded to service ceiling for VVIP helicopters to 4500 meters from its earlier stand of 6000 meters as mandatory operational requirements, in order to allow M/s Agusta Westland International Ltd. into

fray, though M/s Agusta Westland International Ltd., was disqualified in 2002 and since then it was making attempt to enter the competition. It is also alleged that 3 cousins of Air chief Marshal S.P.Tyagi entered into a consultancy contract with M/s Gordian Services Sarl, Tunisia in the year 2004. It is alleged that Mr. Bruno Spagnolini of M/s Agusta Westland International Ltd. started paying kickbacks to Mr. Guido Ralph Haschke and Mr. Carlo Valentino Ferdinando Gerosa under the guise of several consultancy contract executed between M/s Agusta Westland International Ltd. and M/s Gordian Services. It is alleged that proceeds of crime was also routed through co-accused Christian Michel James. It is alleged that later on, money was also transferred to India through different companies and co-accused Gautam Khaitan has played vital role in facilitating transfer of illegal gratification to India.

4. It is alleged that M/s IDS Tunisia has received proceeds of crime to the tune of Euro 24.37 Million from M/s Agusta Westland and out of these proceeds of crime, Euro 12.4 Million were further transferred to M/s Interstellar Technologies Limited, Mauritius. The proceeds of crime received in M/s Interstellar Technologies Ltd. was further transferred to various companies including M/s Rawasi Al Khaleej General Trading LLC Dubai, M/s Carisma Investments Limited Mauritius, M/s Palmira Consulting Services Limited, M/s Windsor Group Holdings Limited BVI, M/s Capital Infrastructure Limited, Mauritius etc. M/s Rawasi Al Khaleej General Trading LLC, Dubai (RAKGT) was incorporated in 2007 by M/s KRBL DMCC, Dubai. The Directors of KRBL DMCC are Anoop Gupta, Anil Kumar Mittal and Arun Kumar Gupta. M/s KRBL DMCC itself was incorporated in 2006 as 100% subsidiary of M/s KRBL Limited, India. M/s

KRBL Limited is a prominent player in the Basmati Rice Industry in both domestic and overseas markets. Anoop Gupta is the Joint Managing Director of KRBL Limited. In 2009, the entire stake (49% shareholding of M/s KRBL DMCC held in M/s RAKGT) was transferred in the name of Mr. Anurag Potdar, nephew of the promoters of M/s KRBL Limited but even after 31.03.2009, RAKGT is under control of M/s KRBL Limited through Anoop Gupta and part of the proceeds of crime received in RAKGT were further transferred to M/s KRBL Limited.

Contentions of Ld. Counsel for accused

5 Ld. Counsel for the accused submitted that the alleged proceeds of the crime of USD 24.6 Million was transferred to Rawasi Al Khaleej General Trading (RAKGT) and was further routed to KRBL Ltd. is apparently false and is contrary to the Writ Petition bearing no. WP(C) 3531/2018 titled as "Abdullah Ali Balsharaf & Anr. Vs. Directorate of Enforcement & Ors." wherein the petitioner clearly stated on oath that the petitioner has received the amount of USD 23.12 Million from RAKGT as on 31.12.2016, out of the loan amount of 24.62 Million, tendered to RAKGT on behalf of petitioner from 2008-2010. It is also submitted that ED has passed freezing order dated 22.03.2018 thereby withholding the equity shares of KRBL Limited amounting to approximately Rs. 193 Crores, held by Abdulla Ali Balsharaf and Omar Ali Balsharaf and the said order was challenged before Hon'ble Delhi High Court and Hon'ble Delhi High Court vide its order dated 09.01.20219 has set aside the freezing order dated 22.03.2018.

6 Ld. Counsel for the accused submitted that the aforesaid ECIR was registered on 03.07.2014, however, KRBL DMCC, Dubai sold its entire shares in RAKGT to Mr. Anurag Potdar in March 2009 and since then KRBL DMCC, Dubai has no business with RAKGT whatsoever and KRBL Ltd. and RAKGT are two different entities. There are as many as eight supplementary charge-sheets have been filed in the captioned ECIR and the name of accused is not reflected therein.

7 Ld. Counsel for accused submitted that even post the separation of RAKGT from KRBL DMCC, RAKGT remained a regular customer to KRBL Ltd. The goods were exported from KRBL Ltd. to RAKGT from 2009 to 2019, against the advances received from RAKGT. The exports made by the KRBL Ltd. to RAKGT are not in dispute as it has gone through various levels of checks and inspection by many government departments. It is submitted the advances received by KRBL Limited from RAKGT were against the exports made by KRBL Ltd. to RAKGT.

8 Ld. Counsel for accused submitted that in addition to exports made by KRBL Limited to RAKGT, M/s KRBL, DMCC provided loans to the RAKGT from 2007-2018. The loan stood repaid by RAKGT from time to time along with the repayment of the interest to KRBL DMCC. The interest received by KRBL DMCC along with surplus profits were further transferred to KRBL Ltd. in the form of dividends. All these transactions are duly accounted in the financials of the Company.

9 Ld. Counsel for accused contended that medical condition of the applicant is extremely critical. Accused has 90% of blockage in his heart and he is urgently required to be surgically operated. His existing medical condition is further aggravated by the pre-existing diseases i.e. osteoarthritis, lumber spondylitis, severe diabetes having HBIAC amounting to 11 and Blood pressure reaching upto 165/99. The chances of serious fatality in case of the applicant is extremely high.

10 Ld. Counsel for accused contended that accused has been in custody for almost 60 days and his further custody is not warranted for the purpose of investigation. It is further contended that many witnesses have been examined and documents have been collected by the ED during investigation. It is submitted that accused has always complied with the summons without any default and has joined the investigation as and when required by the ED. Ld. Counsel for accused contended that accused has remained cooperative and has submitted documents by complying with the notices issued by the ED. It is submitted that statement of the accused has already been recorded by the ED on many occasions and he was confronted with the witnesses during his police custody. Ld. Sr. Counsel for accused submitted that accused appeared before the Enforcement Directorate firstly on 16.12.2018 pursuant to the summon issued by ED on 15.12.2018. Thereafter ED issued summons on 21.01.2021 and 23.01.2021 seeking his appearance on 22.01.2021 and 25.01.2021 respectively and the accused has appeared before ED on the said dates. It is submitted that during personal appearance of the accused he provided documents to the respondent vide replies dated 07.05.2019, 09.05.2019 and 11.05.2019 in response to notice dated 01.05.2019

seeking accused to produce documents i.e., book of accounts of the company, transaction details of KRBL Limited and RAKGT etc.

11 Ld. Counsel for the accused submitted that all the evidences are documentary in nature and the allegations made against the accused have to be tested during the trial. It is submitted that the trial will take years to get concluded as there will be hundreds of witnesses and voluminous documents. The accused cannot be incarcerated for an indefinite period as it would amount to pre-trial detention.

12 Ld. Counsel for accused submitted that the statement of witnesses allegedly incriminating the accused as per law are not credible evidences and cannot be basis to deny bail and the same has to be tested during the trial. Learned Sr. Counsel for accused submits that accused satisfies the triple test for bail and deserves to be granted bail in the present matter. It is submitted that accused is not a flight risk as he has roots in the society, there is no apprehension of influencing the witnesses as their statements have already been recorded and are part of judicial record and there is no apprehension of tampering of evidence / documents as the documents have already been collected by E.D. The accused satisfies the triple test laid down in Directorate of Enforcement Vs. P. Chidamabaram (2019) 9 SCC 24.

13 Ld. Senior Counsel for accused contended that Enforcement Directorate filed its main complaint in November, 2014 and thereafter eight Supplementary Complaints have been filed. The accused has been named as an accused in the 9th supplementary complaint. It is submitted

that the CBI has filed a final report in the above mentioned FIR and the accused has not been named as an accused person. Ld. Counsel for accused contended that all persons who have been named as accused persons by the Enforcement Directorate in the present case are either on bail or have never been arrested. Learned Sr. Counsel for accused also submits that accused is entitled to be released on bail on the ground of parity in as much as, all the accused persons having alleged similar role have been granted bail by this court.

14 It is submitted that the witnesses examined by ED has given contradictory statements and thus cannot be relied upon. It is submitted that the allegations made against the accused in the complaint filed by ED are contradictory and self destructive and are not worthy of reliance. It is submitted that ED has filed incomplete supplementary complaint to defeat the right of bail of accused under Section 167 (2) Cr. P.C.

15 It is further submitted that accused is 62 years of age with failing health and is having roots in society and is an Indian resident. There is no apprehension of his absconding. Ld. Counsel for accused also submitted that medical condition of the accused also entitles him the concession of bail.

16 Ld. Sr. Counsel for accused submitted that twin conditions of Section 45 (1) of PMLA Act are not applicable in view of judgment passed by Hon'ble Supreme Court in "Nikesh Tarachand Shah's case, 2016 (11) Sec. 1 wherein Hon'ble Supreme Court observed that the twin conditions of Section 45 (1) of PMLA are violative of constitutional provisions and

struck down the said twin conditions of Section 45 (1) PMLA.

17 Learned counsel for accused submitted that offence under Section 3 & 4 of PML Act is offence punishable upto 07 years, hence accused is entitled to bail in view of specific guidelines laid down by Hon'ble Supreme Court in case titled " Arnesh Kumar vs. State of Bihar".

18 Learned counsel for accused has relied upon judgments **(1)** Nikesh Tarachand Shah Vs. Union of India, (2018) 11 SCC 1 **(2)** Sameer Bhujbal Vs. Enforcement Directorate & Anrs. (Bail Application No. 286/2018) **(3)** Dr. Vinod Bhandari Vs. Assistant Director, 2018 SCC OnLine MP 1559 **(4)** Sukh Ram Vs. State, 1996 (36) DRJ **(5)** Sanjay Chandra Vs. CBI, (2012) 1 SCC 40 **(6)** P. Chidambaram Vs. Directorate of Enforcement, (2019) 9 SCC 24 **(7)** D.K.Shivakumar Vs. Directorate of Enforcement, 2019 SCC OnLine Del 10691 **(8)** Binod Singhvi Vs. CBI, Bail Application No. 33/2019 **(9)** Shivani Rajiv Saxena Vs. Directorate of Enforcement, Bail Application No. 2164/2017 **(10)** Sandip Junjunwala Vs. CBI, Bail application No. 2439/2017 **(11)** H.B.Chaturvedi Vs. CBI, Bail Application No. 572/2010 **(12)** Mukul Mittal Vs. Directorate General of GST Intelligence, Bail Application No. 168/2021 **(13)** Dipak Shubhashchandra Mehta Vs. Central Bureau of Investigation, (2012) 4 SCC 134 **(14)** Dr. P.V.Varavara Rao Vs. National Investigation Agency & Others, 2021 SCC OnLine Bom 230 **(15)** Jaysinh Gulabsinh Parmar Vs. State of Gujarat, Misc. Application No. 10080/2015 **(16)** Arnab Manoranjan Goswami Vs. State of Maharashtra & Ors., CA No. 742/2020 and CA No. 744/2020.

Contentions of Ld. Counsel for ED

19 Ld. Counsel for ED submits that accused through his companies has laundered proceeds of crime to the tune of US Dollar 24624298. Ld. Counsel for the ED submits that proceeds of crime as received in M/s Interstellar Technologies Ltd. were further transferred to various companies including M/s Rawasi Al Khaleej General Trading LLC Dubai which was incorporated in 2007 by M/s KRBL DMCC, Dubai which is subsidiary company of M/s KRBL Limited and Anoop Gupta is the Joint Managing Director of KRBL Limited. The Directors of KRBL DMCC are Anoop Gupta, Anil Kumar Mittal and Arun Kumar Gupta.

20 Ld. Counsel for ED submitted that in 2009, the entire stake (49% shareholding of M/s KRBL DMCC held in M/s RAKGT) was transferred in the name of Mr. Anurag Potdar, nephew of the promoters of M/s KRBL Limited but the facts and evidence emerging from the investigation carried out, clearly establishes that even after 31.03.2009, RAKGT is under control of M/s KRBL Limited through Anoop Gupta and part of the proceeds of crime received in RAKGT were further transferred to M/s KRBL Limited.

21 Learned counsel for ED submitted that the investigation is still going on with regard to the role of the accomplices/aides of the accused, including accused, to derive the end use and the last mile connectivity of the money trail. Certain witnesses, both in India and abroad, are in the process of being examined and there is likelihood that the accused may influence the witnesses, tamper the evidence and hamper the

investigation.

22 Ld counsel for ED submits that the accused cannot claim parity with co-accused for grant of bail in view of his past conduct and his influence on witnesses / people linked to this case, some of whom are his employees.

23 Ld. Counsel for ED submitted that the legislature by virtue of Section 45 of PMLA has placed stringent conditions on the grant of bail in offences concerning money laundering. The said twin conditions only highlight the gravity of the offence and the menace sought to be curbed, keeping in mind the object of the PMLA and the restrictions imposed in grant of bail. The twin conditions for grant of bail cannot be divested from in the light of the Amendment of 2018 to Section 45 PMLA. Ld counsel for ED also submitted that reliance of the accused on section 167 (2) Cr.P.C for grant of bail is misplaced since prosecution complaint on the basis of investigation conducted till date has already been filed and process has been issued against the accused.

24 Ld. Counsel for the ED submitted that there are sufficient incriminating documents have come on record to show the complicity of accused. This case involved the commission of serious economic offences having public ramifications which need to be considered seriously while granting bail. In such cases it is the interest of the public which needs to be considered and bail is liable to be rejected if it would result in the hindrance of further investigation and tampering of evidence. There exists a reasonable apprehension of accused tampering the

evidence and hampering the investigation of the instant case. Further, being an influential person, his adverse impact on further investigation of the instant case is writ large. It is submitted that there is reasonable apprehension that accused will try to liquidate the proceeds of crime and destroy money trail apart from continuing to be involved in the commission of money laundering.

25 Learned counsel for ED has relied upon judgments **(1)** Assistant Director Vs. Chunni Lal Gaba, 2020 SCC OnLine P & H 2457 **(2)** State Vs. Jaspal Singh Gill, 1984 AIR 503 **(3)** Rohit Tandon Vs. Directorate of Enforcement, (2018) 11 SCC 46 **(4)** Y.S.Jagan Mohan Reddy Vs. Central Bureau of Investigation, (2013) 7 SCC 439 **(5)** Nimmagadda Prasad Vs. Central Bureau of Investigation, (2013) 7 SCC 466 **(6)** State of Gujarat Vs. Mohanlal Jitamalji Porwal & Anrs., (1987) 2 SCC 364 **(7)** State of Bihar & Another Vs. Amit Kumar @ Bachcha Rai, (2017) 13 SCC 751 **(8)** Gautam Kundu Vs. Directorate of Enforcement, (2015) 16 SCC 1 **(9)** Sunil Dahiya Vs. State, 2016 SCC OnLine Del 5566 **(10)** Suresh Thimiri Vs. State of Maharashtra, 2016 OnLine Bom 2602 **(11)** Chhagan Chandrakant Bhujbal Vs. Union of India, 2016 SCC OnLine Bom 9938 **(12)** Vidyut Kumar Sarkar Vs. State of Bihar, Cr. Misc. Application No. 73325/2019.

Conclusion

26 I have gone through the material on record.

27 Ld counsel for ED has referred to section 45 (1) of PMLA to

contend that the twin conditions stipulated in said section are applicable in the facts and circumstances of the present case.

28 It is noted that in the case of **Nikesh TaraChand Shah Vs. Union of India & Anrs, (2018) 11 Supreme Court Cases 1**, Hon'ble Supreme Court has observed that twin conditions U/S 45(1) of PMLA are unconstitutional as they violate Article 14 and Article 21 of the Constitution of India. Hon'ble Supreme Court observed:-

54. Regard being had to the above, we declare [Section 45\(1\)](#) of the Prevention of Money Laundering Act, 2002, insofar as it imposes two further conditions for release on bail, to be unconstitutional as it violates Articles 14 and 21 of the Constitution of India. All the matters before us in which bail has been denied, because of the presence of the twin conditions contained in [Section 45](#), will now go back to the respective Courts which denied bail. All such orders are set aside, and the cases remanded to the respective Courts to be heard on merits, without application of the twin conditions contained in [Section 45](#) of the 2002 Act. Considering that persons are languishing in jail and that personal liberty is involved, all these matters are to be taken up at the earliest by the respective Courts for fresh decision. The writ petitions and the appeals are disposed of accordingly.

29 Further in the judgment **Sameer M.Bhujbal V. Enforcement**

Directorate & Anrs., Bail application No. 286/2018, Hon'ble Bombay High Court while discussing the effect of amendment in Prevention of Money Laundering Act, 2002 observed:-

7. At the outset, it is to be noted here that the Supreme Court in the case of Nikesh Shah (supra) has in unequivocal terms held in para 44 that 'we have struck down Section 45 of the Act as a whole'. It is further held by the Supreme Court in Para 45 that, we declare Section 45(1) of the Prevention of Money Laundering Act, 2002 in so far as it imposes two further conditions for release on bail to be unconstitutional as it violates Articles 14 and Article 21 of the Constitution of India.

8. The supreme Court in the case of Brshiu Municipal Council, Barshi, District Solapur Vs. The Lokmanya Mills Limited, Barshi and another reported in 1972 (2) SCC 857 has held that, when the Rule was struck down by this Court, the effect was Rule could never be deemed to have been passed. The Validating Act has also not revived or resurrected the Rule (2(c) therein) and therefore, the position was that there was no charging provision for imposition of house tax on the Mills, Factories or Buildings connected therein.

9. It is to be noted here that, after effecting amendment to Section 45(1) of the PMLA

Act the words “under this Act” are added to Sub Section (1) of Section 45 of the PMLA Act. However, the original Section 45(1) (ii) has not been revived or resurrected by the said Amending Act. The Ld. Counsel appearing for the accused and the learned Additional Solicitor General of India are not disputing about the said fact situation and in fact have conceded to the same. It is further to be noted here that, even Notification dated 29.03.2018 thereby amending Section 45(1) of the PMLA Act which came into effect from 19.04.2018, is silent about its retrospective applicability.

In view thereof, the contention advanced by the Ld. ASG cannot be accepted. It is to be further noted here that the original Sub-Section 45(1) (ii) has therefore neither revived nor resurrected by the Amending Act and therefore neither revived not resurrected by the Amending Act and therefore, as of today there is no rigor of said two further conditions under original Section 45(1) (ii) of PMLA Act for releasing the accused on bail under the said Act.”

30 Further in the judgment **Dr. Vinod Bhandari V. Enforcement Directorate, M.Cr. No. 34201/2018 dated 29.08.2018**, Hon'ble M.P. High Court has made same observations as made in the case of Sameer M Bhujwal and has taken the same view as taken in the aforesaid cases.

31 Therefore, in view of the law laid down by Hon'ble Supreme Court and Hon'ble High Courts, it is clear that twin conditions of Section 45(1) of the PMLA shall not be applicable and thus, the present application is to be decided as regular bail application under Section 439 Cr. P.C.

32 Now, I turn to the facts of the present case. An FIR was registered by CBI on 12.03.2013 U/S120B r/w Section 420 IPC and Section 7, 8, 9, 12, 13(2) r/w Section 13(1)(d) of PC Act and Chargesheet came to be filed on 01.09.2017. The applicant has not been made accused in the said charge-sheet. The ED has also registered ECIR on 03.07.2014 and filed complaint on 20.11.2014. Thereafter, ED has filed 9 Supplementary complaints. As per ED allegations against the accused is that accused through his companies has committed the offence of money laundering in respect of proceeds of crime to the tune of USD 24624298. It is submitted that M/s IDS Tunisia has received proceeds of crime to the tune of Euro 24.37 Million from M/s Agusta Westland and the proceeds of crime was further transferred to M/s Interstellar Technologies Limited, Mauritius and part of the proceeds of crime received in RAKGT were further transferred to M/s KRBL Limited. Accused was joint Managing Director of M/s KRBL Limited.

33 The ED has impleaded applicant as accused no. 50 in the 9th Supplementary Complaint. The 9th supplementary complaint was filed on 30.03.2021. There are 53 accused in the present matter and more than 200 witnesses. Number of accused persons based in foreign countries,

are yet to be served. The investigation by ED is still going on and ED has yet to receive documents through Letter Rogatories. The investigation will take time to complete. The accused is in custody since 29.01.2021.

34 The ED has called the accused to join investigation and accused has joined investigation since 16.12.2018 on different dates and it is only on 29.01.2021 that the accused was arrested by ED. The accused has joined investigation even before his arrest and also during police remand for 14 days. Documents have already been recovered. Statements of witnesses have already been filed with 9th supplementary complaint. It is not the case of ED that further recovery is to be made from the accused. Even otherwise if the accused, at any stage, is required for investigation, he can be called to join investigation. The correctness or otherwise of the allegations as to whether the accused has received and laundered the said money, can only be looked into during the course of trial.

35 It is worthwhile recording here that co-accused having similar or greater role than the present accused, have already been enlarged on bail. Some of the co-accused have not been arrested by ED, at all, and complaint and supplementary complaints have been filed against these accused persons without arrest. The applicant Anoop Kumar Gupta is not the accused in CBI case registered for predicate offences.

36 One of the contention of Ld. Counsel for Enforcement Directorate is that accused may tamper with evidence. The present case

is based, mainly, on documentary evidence and banking transactions and the documents have already been seized by Enforcement Directorate. Supplementary complaint against accused Anoop Kumar Gupta has already been filed. In case of “**Sukhram V. State (CBI)**”, **decided on 14.10.1996 in CrI. M. appeal No. 2407/1996**, similar apprehension that accused would tamper with evidence, was expressed by the Counsel for CBI, however, Hon'ble Delhi High Court negated the contention of Counsel for CBI and granted bail to the accused.

37 So far as contention of Ld. Counsel for Enforcement Directorate that accused may influence the witnesses, is concerned, it is noted that Supplementary complaint has been filed and the statement of witnesses U/s 50 PMLA has already been recorded. Necessary conditions can be put in this regard.

38 The accused is 62 years of age and has roots in society. Accused is residing in Delhi alongwith his family members. The accused is having his business in India and is an income tax assessee. Therefore, the contention of Enforcement Directorate that accused may abscond does not appear to have much substance. Further it is noted that accused is suffering from number of diseases and is under treatment. In the status report filed by Dr. Safal, Assistant Professor, Department of Cardiology, GIPMER, New Delhi, he has opined-

“The patient Anoop Gupta 62/Male (Jail Case-Hospital CR No. 493877) is admitted in this department since 10.03.2021 with a diagnosis of

Hypertension/T2DM/Coronary Artery Disease (TMT Positive) with exertional dyspnea. The patient's angiogram was done on 17.03.2021 and showed heavily calcified double vessel disease. A CTVS (Cardiac Surgery) opinion was taken to consider for CABG but the surgeon has advised "Medical Management/PTCA".

While medical therapy is being optimized, dyspnea is persistent and the patient requires PTCA (Coronary Angioplasty and Stenting). The same is being planned for this patient.

As Coronary Angioplasty is an invasive procedure and the patient as well as relatives need to know the risks and benefits of the procedure and thereafter provide consent for the same, the presence of a relative is desirable."

39 Thus considering the overall facts and circumstances, the accused is admitted to bail on his furnishing personal bond in the sum of Rs. 5 Lac with two sureties of the like amount with further conditions that:-

- 1. The accused shall not tamper with evidence.**
- 2. The accused shall not try to contact or influence the witnesses.**

- 3. The accused shall join investigation as and when called by the IO.**
- 4. The accused shall not leave India without the permission of the Court.**
- 5. The accused shall furnish his mobile numbers and e-mail IDs used by him to the investigating Officer. He shall also inform the change in mobile numbers and e-mail IDs, if any, to the IO.**

Copy of the order be given dasti to counsel for accused as well as counsel for Enforcement Directorate. Copy of the order be also sent to Jail Superintendent.

**Announced in the open court
on 05.04.2021**

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

CNR No : DLCT11-000927-2019
CC No : 01/2015
ECIR : DLZO/15/2014/AD(VM)
U/S : 3 and 4 of PMLA Act
Directorate of Enforcement Vs. Gautam Khaitan & Ors.

05.04.2021

Present: Sh. Shadman Ahmed Siddiqui and Sh.
Shubham Prajapati, Ld. Counsels for accused
Anoop Kumar Gupta.

Bail bonds furnished. Accepted.

The sureties, namely, Ayush and Avantika Gupta have furnished on-line print out of FDRs of Rs.Five Lacs each bearing Deposit Account No.50300508388837 & 50300508392426 both dated 05.04.2021 issued by HDFC Bank.

The concerned bank shall not release the FDRs without permission of the court.

A copy of this order be sent to concerned bank.

(Arvind Kumar)
Special Judge (PC Act) CBI-10
Rouse Avenue Courts
New Delhi/05.04.2021

CNR No : DLCT11-000927-2019
CC No : 01/2015
ECIR : DLZO/15/2014/AD(VM)
U/S : 3 and 4 of PMLA Act
Directorate of Enforcement Vs. Gautam Khaitan & Ors.

05.04.2021

Present: Sh. N.K.Matta, Ld. SPP for ED.
Sh. Shadman Ahmed Siddiqui and Sh.
Shubham Prajapati, Ld. Counsels for accused
Anoop Kumar Gupta.

Vide separate order, the application filed by accused Anoop Kumar Gupta for bail is disposed of.

Vide order dated 30.03.2021, the Jail authority was directed to produce the accused on 31.03.2021 through video conferencing considering his medical condition but the Jail Authority has produced accused Anoop Kumar Gupta physically despite such directions.

Reply has been sent by Jail Authority.

Put up on 09.04.2021 for consideration.

(Arvind Kumar)
Special Judge (PC Act) CBI-10
Rouse Avenue Courts
New Delhi/05.04.2021