Seal of the Court of District & Sessions Judge Copying Agency (RACC)

CNR No.DLCT11-000082-2021
Ct. No. 02/2021
Directorate Of Enforcement Vs. M/s Alchemist Township India Ltd and Ors.

An application has been filed under Section 207 Cr.PC read with Section 46 of PMLA seeking necessary direction to ED to supply the documents seized from accused company i.e. M/s Alchemist Township India Ltd. (A-1).

07.09.2022

Present : Sh. Mohammad Faraz, Sh. N.K. Matta and Sh. A.K. Gautam, Ld. SPPs for ED along with IO Manish Choudhry, AD (PMLA)/IO for ED.

Sh. Karan Grover, Ld. Counsel for the applicant/accused company i.e. M/s. Alchemist Township India Ltd. (A-1) along with Resolution Professional Sh. Devender Singh.

It is stated in the application that in October, 2020 CIRP was started in respect of accused company i.e. M/s. Alchemist Township India Ltd. (A-1), thereafter several requests had been made to ED to supply the documents and even they had approached before the Adjudicating Authority as well as the Hon'ble High Court.

Reply has been filed to the said application stating that the documents have already been supplied under Section 208 Cr.PC to the Resolution Professional representing accused company i.e. M/s. Alchemist Township India Ltd. (A-1). As regards supply of unrelied documents, it is stated that though this Court had passed an order directing supply of unrelied documents to the accused persons, however, the said order had been stayed by the Hon'ble High Court. Various other submissions have made regarding non-applicability of Section 207 Cr.PC and applicability of Section 208 Cr.PC in the present case.

I have heard Sh. Mohammad Faraz, Sh. N.K. Matta and Sh. A.K. Gautam, Ld. SPPs for ED and Sh. Karan Grover, Ld. Counsel for the applicant.

ATTESTED
22 SEP 2022
Examiner

(3)

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It is not in dispute that CIRP proceedings have been started in respect of accused company i.e. M/s. Alchemist Township India Ltd. (A-1) and it is the submission of the Ld. Counsel representing Sh. Devender Singh, Resolution Professional that on 24.11.2020 Sh. Devender Singh was confirmed as Resolution Professional and same is as per the orders of the Ld. NCLT.

It is submitted that the Resolution Professional is to act as per law and it would be necessary for the Resolution Professional to pursue the matter further that the documents as sought are provided. In view of same, even though the documents have already been provided to the Resolution Professional, who was earlier representing accused company i.e. M/s. Alchemist Township India Ltd. (A-1) and the receiving in respect of the same has been shown by the ED, the ED is directed to supply the documents on which ED has relied upon to the applicant herein in a digital form. As regards the documents, which are not relied upon by the ED, the Ld. Counsel representing the applicant had submitted that all the documents, which had been seized be directed to be supplied. However, in terms of the stay granted by the Hon'ble High Court on the order of this Court by which directions were given for supplying unrelied upon documents as well, no directions can be passed in respect of the said documents at present.

In view of the same, the application is disposed of.

The documents be supplied within 10 days from today.

Main matter be put up on 18.10.2022.

(Geetanjli Goel)
Special Judge (PC Act) (CBI)-24
(MPs/MLAs Cases), RADC
New Delhi/07.09.2022

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