

**IN THE COURT OF SHRI PULASTAYA PRAMACHALA, SPECIAL
JUDGE CBI - 13, (PC ACT)**

ROUSE AVENUE DISTRICT COURTS, NEW DELHI.

ECIR/DLZO/15/2014/AD(VM)

U/s : 3, 4 Prevention of Money Laundering Act, 2002

Directorate of Enforcement v/s Gautam Khaitan & Ors.

23/05/2020 (At 2.20 p.m.)

Presence :

(Through Cisco Webex Meeting App)

Sh. N.K. Matta, Id. Sr, PP for complainant/applicant.

Ms. Ramanjit Kaur Sethi, Joint Director, ED/IO/Applicant.

None for accused.

Hearing of this case through Video Conference via Cisco Webex App has been facilitated by the office of Id. District & Sessions Judge-cum-Special Judge (PC Act), Rouse Avenue District Court, New Delhi.

This is an application moved by Directorate of Enforcement u/s 50(2) & 50(3) of The Prevention of Money Laundering Act, 2002 so as to seek permission to examine and record statement of accused Cristian Michael James.

This application has been assigned to the undersigned today by the Id. District & Sessions Judge-cum-Special Judge (PC Act), Rouse Avenue

District Courts as telephonically informed by and as email received from Shri Vivek, P.A to the Id. District & Sessions Judge-cum-Special Judge (PC Act), Rouse Avenue District Court, New Delhi.

This application has been heard by the undersigned today through Video Conferencing in terms of office order dated 28/03/2020 bearing no. DJ/RADC/2020 from the office of Id. District & Sessions Judge-cum-Special Judge (PC Act), Rouse Avenue District Court, New Delhi, as modified vide office order no. 3/RADC/2020 dated 30/03/2020, in view of functioning of District Courts being under suspension because of nationwide lock down as declared by the Government of India & pursuant to the office order no-R-305/RG/DHC/2020 dated 21-05-2020.

This application has been received alongwith annexures A, B and additional annexure C through email.

Ld. counsel for ED submitted that the investigation is at a crucial stage and certain aspects of the case have recently been unearthed and it is very necessary to interrogate the accused Christian Michel James & to record his statement u/s 50 of The Prevention of Money Laundering Act, 2002, while confronting him with the documents/data received by the ED. IO Ms. Ramanjit Kaur Sethi informed that during previous interrogation, the accused/respondent Christian Michel James had assured to provide relevant documents and other materials through his contact. However such materials have not been provided till date. Therefore, it has become necessary to again interrogate him and to confront him with the materials in possession of ED.

Ld. counsel for ED submitted that there is no need to serve the notice of this application upon the accused, because the matter is still under investigation and this is a matter between complainant and the court. In support of such submissions, ld. counsel referred to previous orders dealing with the same situation, wherein notice to accused was dispensed with by the court. Same is annexure C.

However, at the same time ld. counsel for ED submitted that he can make contact with counsel for accused telephonically and may inform him about this application and hearing. In these circumstances ld. counsel was asked to inform the counsel for accused and computer Incharge (host of this online meeting), Mr. Surendra was asked to reconvene the meeting as per response given by counsel for accused. This online hearing ended with aforesaid direction.

(Pulastaya Pramachala)

Special Judge (CBI-13), P.C. Act,

RADC, New Delhi/23.05.2020