

ITEM NO.17

COURT NO.2

SECTION X

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Writ Petition(s)(Criminal) No(s). 153/2023

YASH TUTEJA & ANR.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

([ONLY I.A. NO. 148112/2023-APPLICATION SEEKING DIRECTIONS FOR STAY IN W.P.(CRL.) NO. 153/2023 AND I.A. NO. 148111/2023-APPLICATION FOR DIRECTIONS FOR STAY OF FIR IN W.P.(CRL.) NO. 208/2023 ARE LISTED UNDER THIS ITEM]
(IA No. 148112/2023 - INTERLOCUTORY APPLICATION)

WITH

W.P.(Crl.) No. 208/2023 (X)
(148111/2023 (Application for direction for the stay of FIR's) in WP(CRL.) NO. 208/2023.
IA No. 148111/2023 - INTERLOCUTARY APPLICATION)

Date : 07-08-2023 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
HON'BLE MR. JUSTICE SUDHANSHU DHULIA

For Petitioner(s) Mr. Mukul Rohatgi, Sr. Adv.
Mr. Siddharth Aggarwal, Sr. Adv.
Mr. Arshdeep Singh Khurana, Adv.
Mr. Malak Manish Bhatt, AOR
Mr. Harshwardhan Parghania, Adv.
Mr. Harsh Srivastava, Adv.
Mr. Mandeep Singh, Adv.
Ms. Neeha Nagpal, Adv.
Ms. Mizba Dhebar, Adv.

For Respondent(s) Mr. S. V. Raju, A.S.G.
Mr. Mukesh Kumar Maroria, AOR
Mr. Zoheb Hussain, Adv.
Mr. Annam Venkatesh, Adv.
Mrs. Sairica Raju, Adv.
Mr. Kanu Agarwal, Adv.
Mr. Arkaj Kumar, Adv.

Mr. Shyam Divan, Sr. Adv.
Mr. Mahesh Kumar, Adv.
Mr. Ankur Chawla, Adv.
Mr. Vaibhav Malhotra, Adv.
Mr. Nikhilesh Kumar, Adv.
Ms. Devika Khanna, Adv.
Mrs. V D Khanna, Adv.
Mr. Vmz Chambers, AOR

UPON hearing the counsel the Court made the following
O R D E R

I.A. NO. 148112/2023 & IA No.148112/2023

Learned senior counsel for the petitioner contends that the liquor scam is being investigated in file No.ECIR/RPZO/11/2022. He submits that the issue of duplicate holograms which is sought to be raised in the FIR No.0196 dated 30.7.2023 is something which came to the notice of the ED much earlier and it forms a part of the counter affidavit.

It is further submitted that the endeavour is to circumvent the order of this Court dated 18.7.2023.

Learned ASG submits that this is a different offence not connected with the issue of income tax and thus under Section 66(2) PMLA, 2002, the ED was duty bound to bring to the notice of the concerned agency, which is what was done.

On our query as to when these aspects came to the notice of the ED, learned ASG seeks a short accommodation to obtain instructions.

List on 21.8.2023.

The Uttar Pradesh Police may not take any coercive steps till the next date though we are not impeding the investigation.

(RASHMI DHYANI PANT)
COURT MASTER

(POONAM VAID)
COURT MASTER