

ITEM NO.12

COURT NO.6

SECTION II-C

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

Petition(s) for Special Leave to Appeal (Cr1.) No(s). 7523/2019

(Arising out of impugned final judgment and order dated 20-08-2019 in BA No. 1713/2018 passed by the High Court Of Delhi At New Delhi)

P. CHIDAMBARAM**Petitioner(s)****VERSUS****DIRECTORATE OF ENFORCEMENT****Respondent(s)**

**(FOR ADMISSION and Interim Relief and
 IA No.126394/2019-EXEMP.FROM FILING C/C OF THE IMPUGNED JUDGMENT,
 IA No. 130679/2019 - APPROPRIATE ORDERS/DIRECTIONS)
 [TO BE TAKEN UP AT 11.30 A.M.]**

Date : 29-08-2019 This matter was called on for hearing today.

CORAM :

**HON'BLE MRS. JUSTICE R. BANUMATHI
 HON'BLE MR. JUSTICE A.S. BOPANNA**

For Petitioner(s) **Mr. Kapil Sibal, Sr. Adv.**
 Dr. Abhishek Manu Singhvi, Sr. Adv.
 Mr. Arshdeep Singh Khurana, Adv.
 Mr. Kunal Vajani, Adv.
 Mr. Amit Bhandari, Adv.
 Mr. Adit Pujari, Adv.
 Mr. Varun Chopra, Adv.
 Mr. Hitesh Rai, Adv.
 Mr. Akshat Gupta, Adv.
 Mr. Ayush Agarwal, Adv.
 Mr. Karan Gogna, Adv.
 Mr. P.K. Dubey, Adv.
 Mr. Aman Singh Brar, Adv.
 Mr. Akshay Sahni, Adv.
 Mr. Raghav Tankha, Adv.
 Mr. Avishkar Singhavi, Adv.
 Mr. Aamir Khan, Adv.
 Mr. Harpreet Kalsi, Adv.
 Ms. Shally Bhasin, AOR

For Respondent(s) **Mr. Tushar Mehta, SG**
 Mr. K.M. Natraj, ASG
 Ms. Sonia Mathur, Sr. Adv.
 Mr. Amit Mahajan, Adv.

Mr. Rajat Nair, Adv.
Ms. Kanu Agrawal, Adv.
Mr. Manan Popli, Adv.
Mr. Zoheb Hossain, Adv.
Mr. Rajeev Ranjan, Adv.
Mr. Shantanu Sharma, Adv.
Mr. B.K. Prasad, AOR
Mr. Bhuwan Kapoor, Adv.
Mr. Varun Chugh, Adv.

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

We have heard the submission of Mr. Tushar Mehta, learned Solicitor General, assisted by Mr. Amit Mahajan, learned counsel, appearing for the respondent-Directorate of Enforcement.

We have heard the reply submission of learned senior counsel, Mr. Kapil Sibal and Dr. Abhishek Manu Singhvi, assisted by Mr. Arshdeep Singh Khurana, learned counsel, appearing for the petitioner.

The arguments were advanced on the question - "Whether the Court is to look into the documents, produced in a sealed cover by the respondent-Directorate of Enforcement, when the petitioner has not been confronted with the said documents during the interrogation on 19.12.2018, 07.01.2019, 21.01.2019 and also on the subsequent dates".

The contention advanced on behalf of the Directorate of Enforcement is that the Court has the power to look into the documents whether or not the petitioner has been confronted or not with the same and in this regard reliance has been placed on number of judgments to substantiate the contention that the Court can always look into the documents produced before it, in order to

appreciate the contention.

Without prejudice to the contentions of both the parties, we direct the respondent-Directorate of Enforcement to produce the documents in a sealed cover with the authenticated seal of the Directorate of Enforcement.

Whether to look into the documents or not will depend upon the decision which this Court would take.

List the matter on Thursday, the 05th September, 2019, "For Orders".

Interim protection granted to the petitioner on 23.08.2019 to continue till that date.

(MAHABIR SINGH)
COURT MASTER

(PARVEEN KUMARI PASRICHA)
BRANCH OFFICER