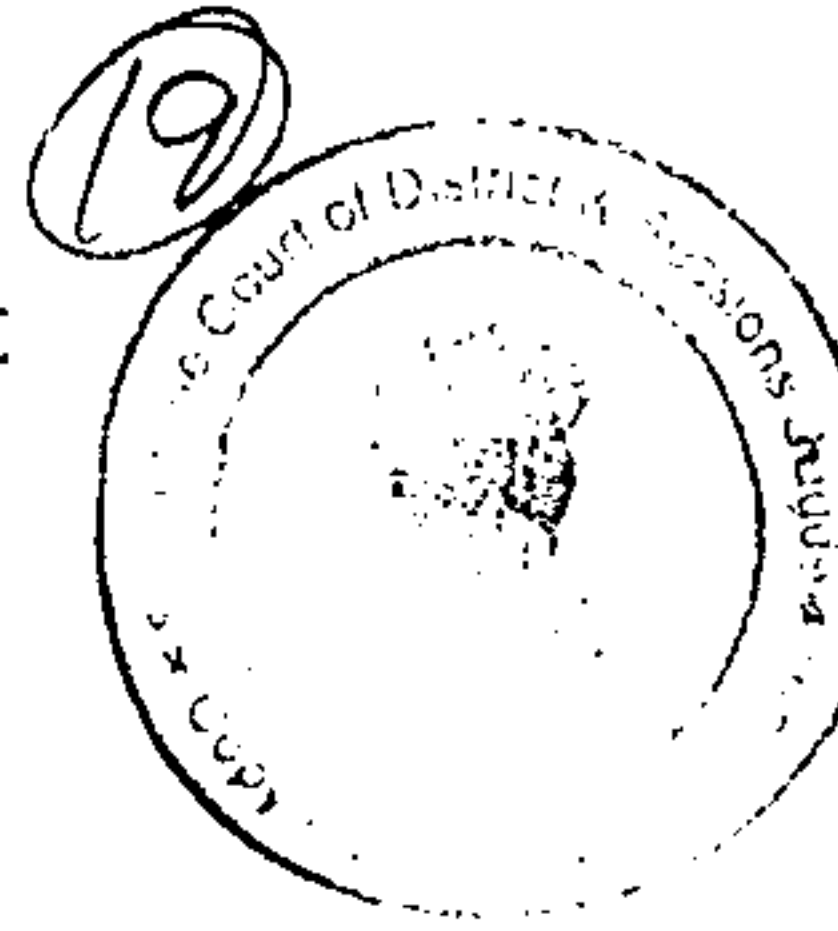


SEBI Vs. Endowment Forest (I) Ltd.  
Cr. NO. 54/09

ANNX -A1

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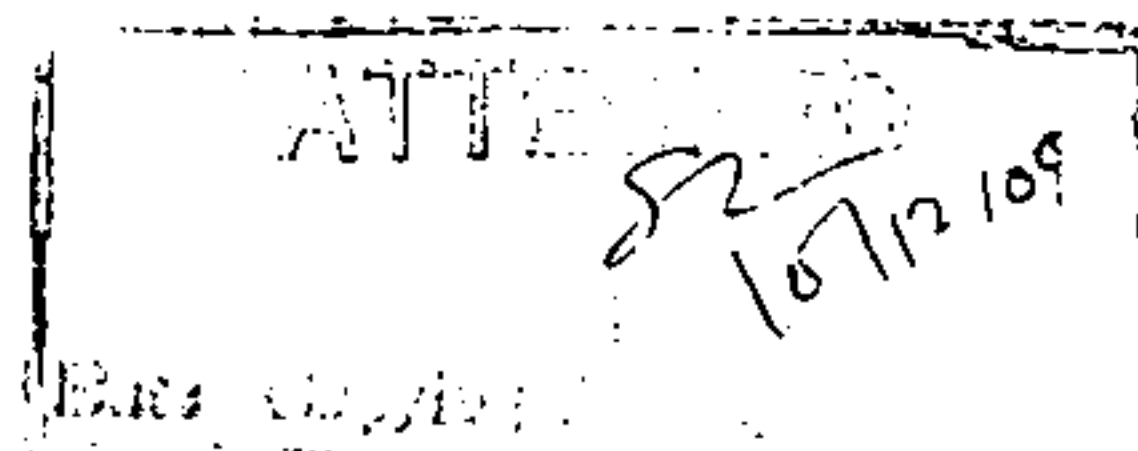
IN THE COURT OF MS. POONAM CHAUDHARY  
ASJ (CENTRAL-01) : DELHI

CC No. 54/09

SECURITIES AND EXCHANGE BOARD OF  
INDIA, a statutory body established under the  
provisions of Securities and Exchange Board  
of India Act, 1992, having its head Office at  
Mittal Court, B-Wing, 224 Nariman Point,  
Mumbai - 400021 represented by its Legal  
Officer, Shri Sharad Bansode.

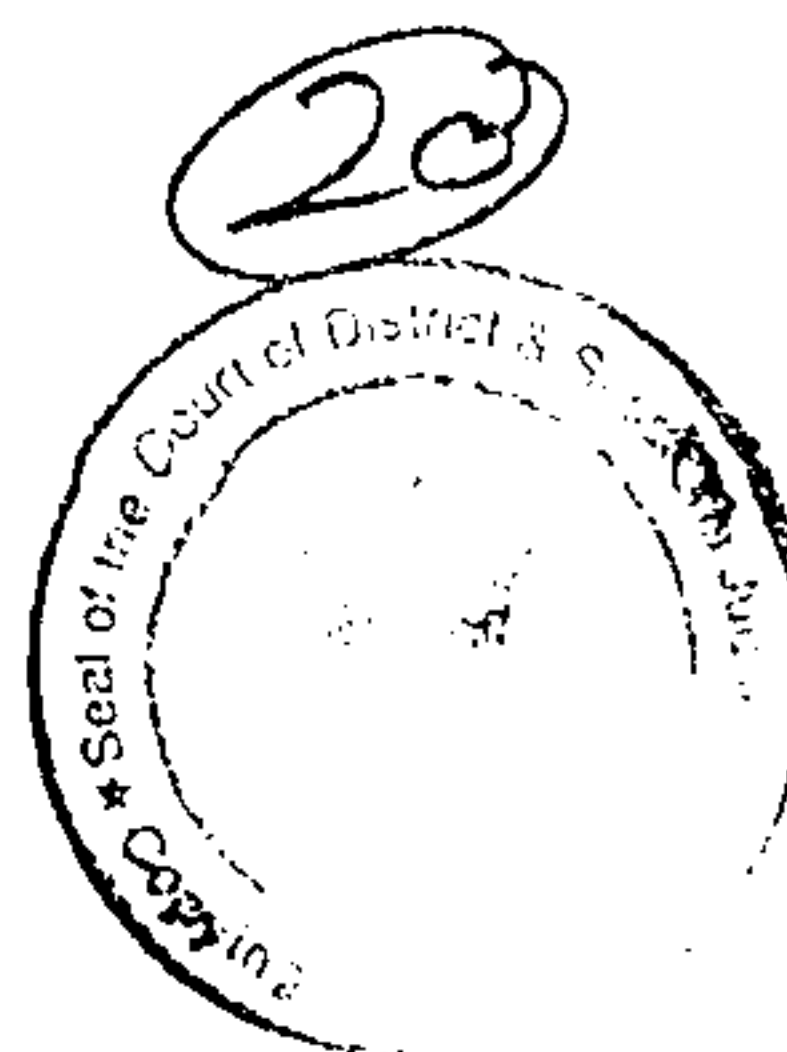
VERSUS

- 1 Endowment Forest(I) Ltd. a company  
incorporated under the provisions of  
Companies Act, 1956 and having its  
Regd no. 1956 and registered office at  
SCO No. 84, first floor, Sector 35 C,  
Chandigarh 160036.  
And also having its Admn, office at SCO  
423-424, First Floor, Sector 35 C,  
Chandigarh 160036.
- 2 Sh. Virender Kumar Kansal S/o Jagdish  
Chander, Promoter and Director of  
accused no. 1 company, R/o Khoti No.  
2147, Sector 44-C Chandigarh.
- 3 Sh. J.C. Kansal, director of accused no. 1  
company, R/o Khoti no. 2147 Sector 44-  
C, Chandigarh.
- 4 Mrs. Savita Kansal W/o Virender Kumar  
Kansal, Promoter and Director of  
accused no. 1 company, Khoti no. 2147,  
Sector 44-C, Chandigarh.
- 5 Sh. B.K. Bhat S/o Shri Dar Bhatt,  
Promoter of accused no. 1, R/o 3366  
Sector 46-C, Chandigarh.
- 6 Sh. Jagdish Chander S/o Sh. Harisharan  
Dass, Promoters of accused no. 1, R/o



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2



Khoti no. 2147, Sector 44-C Chandigarh.

7 Sh. Devinder Pal S/o Sh. Uggar Sain,  
Promoters of accused no. 1, R/o Hounse  
no. 2936, Sector 47-C, Chandigarh.

8 Sh. Prabhakaran Pillathu S/o Sh. S.N.  
Panicher, Promoter of accused no. 1 R/o  
House no. 105 sEctor 45-A, Chandigarh

9 Sh. G.M. Bhatt s/o Ali Ahmed Bhatt,  
Promoter of accused no. 1 R/o House  
no. 6150, Housing Complex, Manimajra,  
Chandigarh.

Arguments heard on : 6.11.2009.  
Judgments reserved for : 19.11.2009.  
Judgments announced on : 19.11.2009.

JUDGMENT

1. The complaint has been filed by the Securities and Exchange Board of India (hereinafter referred as SEBI) alleging violation of SEBI (Collective Investment Scheme) Regulations 1999.

2. Briefly stated the facts alleged in the complaint are that the accused no.2 to 9 being the directors of the accused no.1 company hereinafter referred as "company" had floated collective investment schemes and collected Rs.10.67 lacks from the general public. It is further alleged that for regulation of CIS being run by entrepreneurs SEBI notified the Securities and Exchange Board of India Regulations 1999. However, the accused company violated section 11(B) and 12(1B) of the

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SEBI Vs. Endowment Forest (I) Ltd.  
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Securities Exchange Board of India act 1992 read with regulation 5(1), 68(1), 68(2), 73 and 74 of the Securities Exchange Board of India collective investment scheme regulation 1999 hereinafter referred as "Regulation", punishable u/s 24(1) of the act. SEBI also averred that accused no. 2 to 9 were the directors of the company and were responsible for the conduct of its business and were liable for the said violations under section 27 of the Act. The accused had been summoned vide order of ACMM dated 26.02.2005. During the pendency of the trial accused 2, 3 and 6 expired. Accused 5, 8 and 9 were declared proclaimed offender.

3. Notice of accusation was given to the accused company and accused no. 4 and 7 to which accused pleaded not guilty and claim trial.
4. The complainant examined CW 1 Ms. Jyoti Jindgar AGM SEBI
5. The statements of above said accused were thereafter recorded u/s 313 Cr.P.C..
6. In support of their defence accused no. 4 and 7 appeared in the witness box and were examined as DW 1 and DW 2.
7. I have heard the Ld. Counsels for parties and perused the record.

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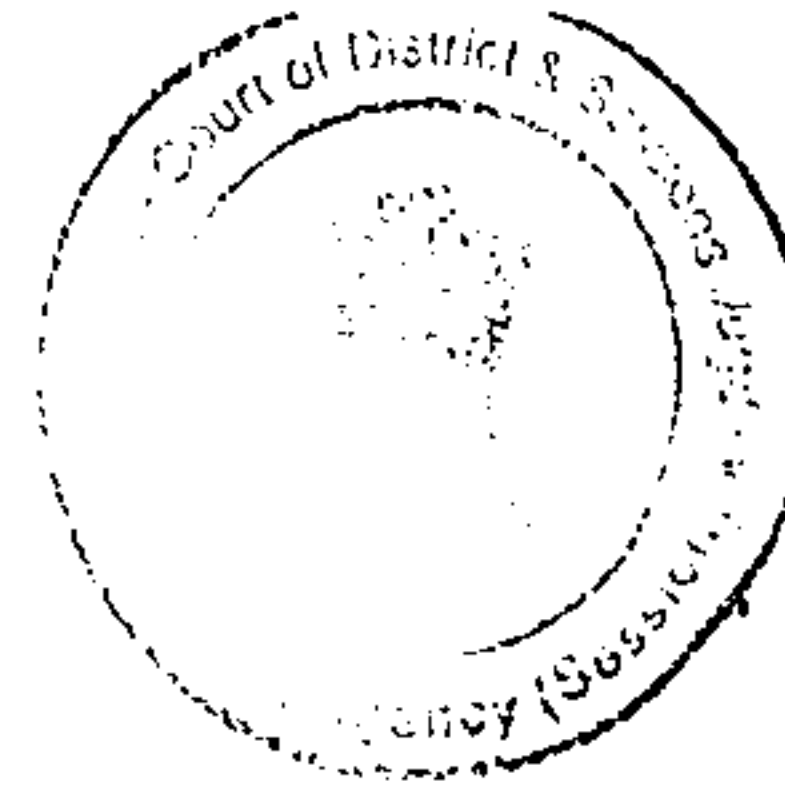
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Cr. NO. 54/09

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8. SEBI examined CW 1 Ms. Jyoti Jindgar AGM SEBI who had been authorised by chairman SEBI vide letter of authority dated 29.01.2000 Ex. CW 1/11 to represent the complainant SEBI. CW 1 deposed that government vide press release dated 18.11.1997 directed that bonds which were in the nature of plantation and agro bonds issued by companies shall be considered as CIS stipulated in section 11 of the SEBI Act, 1992. The SEBI accordingly issued press release dated 26.11.97 and public notice dated 18.12.97 directing the companies running CIS to file the information with SEBI regarding their scheme such as details of funds mobilized, name of the directors/promoters in case they were they were desirous of taking benefits of section 12 (1)(B) of SEBI Act. U/s 12 of the SEBI Act those entities which had been operating CIS immediately prior to coming into effect of the provisions were given two months time to apply for regulation.

9. CW 1 further deposed that in pursuance of the press release and public notice the accused company filed information with SEBI regarding its CIS vide letter dated 17.12.97 which is Ex. CW 1/1. As per the said letter accused company had mobilized Rs. 10.67 lacks as on 30.11.97 under its CIS scheme. Along with the letter accused company also filed a certified true copy of Memorandum and Articles of association of accused company according to which Sh. V.K. Kansal,

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Date

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**SEBI Vs. Endowment Forest (I) Ltd.**  
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Savita Kansal, Sh. B.K. Bhatt, Sh. Jagdish Chander, Sh. Ravinder Pal, Sh. Prabhakar Pilatho and Sh. G.M. Bhat were the promoters of the company and Sh. V.K. Kansal, J. C. Kansal and Savita Kansal were the directors of the company. According to CW 1/1 and its enclosure, the accused company had invited the general public to invest in its various schemes which were to be managed by it.

10. CW 1 further stated that SEBI CIS Regulation 1999 were notified on 15.10.99, intimation regarding the notification of CIS regulation was given to accused company vide public notice dated 20.10.99 and letter dated 21.10.99 sent by registered post copy of the office letter is Ex. CW 1/2 . In terms of the said regulations company was required to apply for registration and wind up its scheme in terms of the regulation 73 and 74. As per the procedure the company was required to circulate information memorandum to its investors and to repay and wind up its scheme and submit winding up and repayment report to SEBI within 5 ½ months. The regulatory obligation were communicated to the accused company vide letter dated 10.12.99, and 29.12.99 office copy of letter dated 10.12.99 is Ex. CW 1/3 however no response received from the accused company. CW 1 further deposed that requirement were also communicated vide public notice dated 10.12.99 which is Ex. CW 1/4 however company neither applied for registration nor intimated regarding its winding up of its schemes hence SEBI issued Show cause

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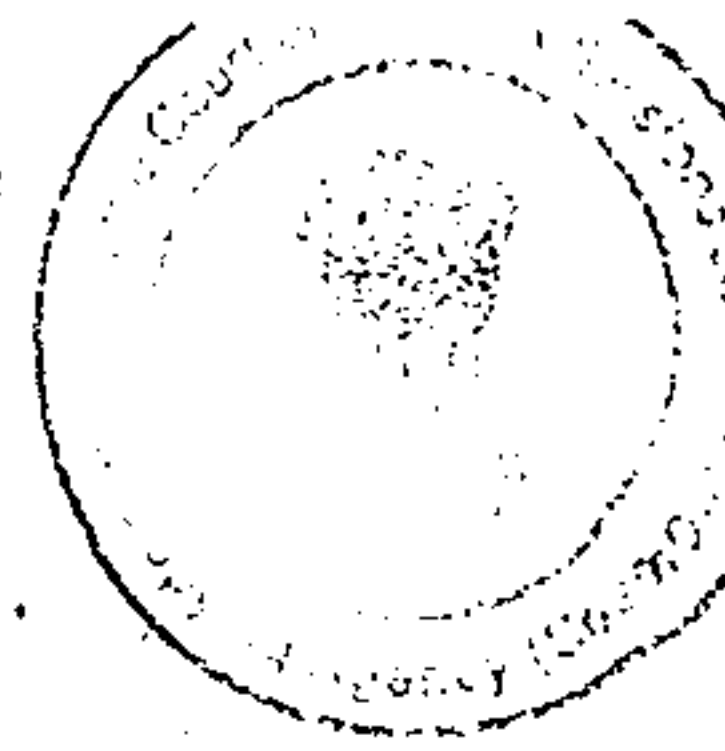
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Date 10/12/01

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notice dated 12.05.2000 to the accused company which was returned undelivered, the returned envelope is Ex. CW 1/5 and letter is Ex. CW 1/6. CW 1 also stated that vide letter dated 31.7.2000 SEBI forwarded a format of winding up and repayment report to the accused company which was also returned undelivered vide envelope Ex. CW 1/7 and the undelivered letter is Ex. CW 1/8.

11. CW 1 further testified that as the company failed to to comply with the regulations, chairman SEBI vide order dated 7.12.2000 directed the accused no. 1 company to repay the investors as per the original terms of the of after within one month of the said order. The copy of order was communicated to accused company vide letter dated 18.12.2000 which was also returned undelivered. CW 1 also stated that content of the order issued by chairman SEBI u/s 11 of SEBI Act were published in all leading newspapers and vernacular newspapers on 14.01.2001. CW 1 also testified that publication issued on 14.01.2001 is Ex. CW 1/10. Vide public notice SEBI intimated to all the CIS obligations imposed on them under regulations 73 and 74 in case they did not apply for registration under the regulations, CW 1 further deposed that in case the companies failed to comply with the requirements they would be liable for further action. CW 1 also deposed that accused company did not file any application seeking registration under SEBI CIS Regulation. The accused company neither filed Winding up and repayment report





SEBI Vs. Endowment Forest (I) Ltd.  
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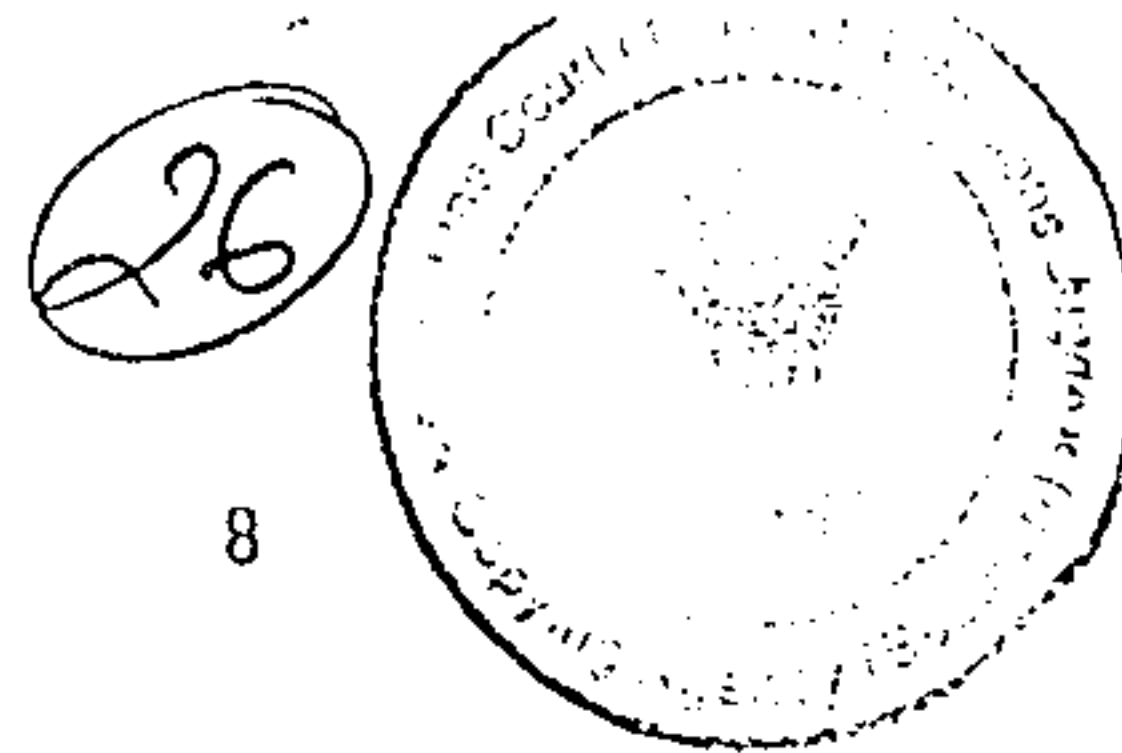
with the regulation and the order nor confirmed compliance with regulations and order of chairman till filing of complainant. CW 1 further stated that vide Ex. CW 1/9 copy of order of chairman dated 7.12.2000 Ex. CW 1/2 was forwarded to company. According to the certified copy of certificate of incorporation accused company was incorporated on 26.02.1997.

12. In her cross examination CW 1 stated that accused no. 1 company had informed SEBI vide Ex. CW 1/1 regarding its scheme. CW 1 also stated that interim direction were passed by SEBI vide order dated 24.12.98 directing existing CIS not to mobilize any money from public under the existing schemes unless such scheme carried a rating from one of the four authorized rating agencies. ICRA Ltd was one of the authorized rating agencies. CW 1 further stated that amount of Rs. 10.67 Lacks mentioned in letter Ex. CW 1/1 was provisional. CW 1 further testified that vide letter dated 25.08.98 company submitted a confirmation stating that they were not mobilizing further funds under the existing scheme and would so only after obtaining credit rating. CW 1 further stated that accused company vide letter dated 17.12.98 informed that they were in the process of obtaining credit rating however no confirmation in this regard was submitted with SEBI and SEBI subsequently received a letter dated 3.07.2000 sent by ICRA Ltd. to Sh. V.K. Kansal director of accused company confirming they had withdrawn

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Date 30/12/09

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Cr. NO. 54/09

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their outstanding rating of CS-5 assign to their CIS which is Ex. CW 1/DA. CW 1 further deposed that all the directors and promoters were responsible for the scheme. She further stated that SEBI did not have any information regarding the winding up of accused company by Hon'ble High court of Punjab and Haryana and appointment of official liquidator.

13. Section 12(1B) was incorporated in the Act w.e.f. 25.01.95 and is as follows:

*"No person shall sponsor or cause to be sponsored or carry on or cause to be carried on any venture capital funds or collective investment scheme including mutual funds, unless he obtains a certificate of registration from the Board in accordance with the Regulations:*

*Provided that any person sponsoring or cause to be sponsored, carrying or causing to be carried on any venture capital funds or collective investment scheme operating in the securities market immediately before the commencement of the Securities Laws (Amendment) Act, 1995 for which no certificate of registration was required prior to such commencement, may continue to operate till such time Regulations are made under clause (a) of sub-section (2) of section 30".*

14. Therefore according to section 12(1B) no person could sponsors CIS without obtaining registration from SEBI in accordance with the regulation.

15. CIS has been defined in 11AA of the Act. which is as follows :-

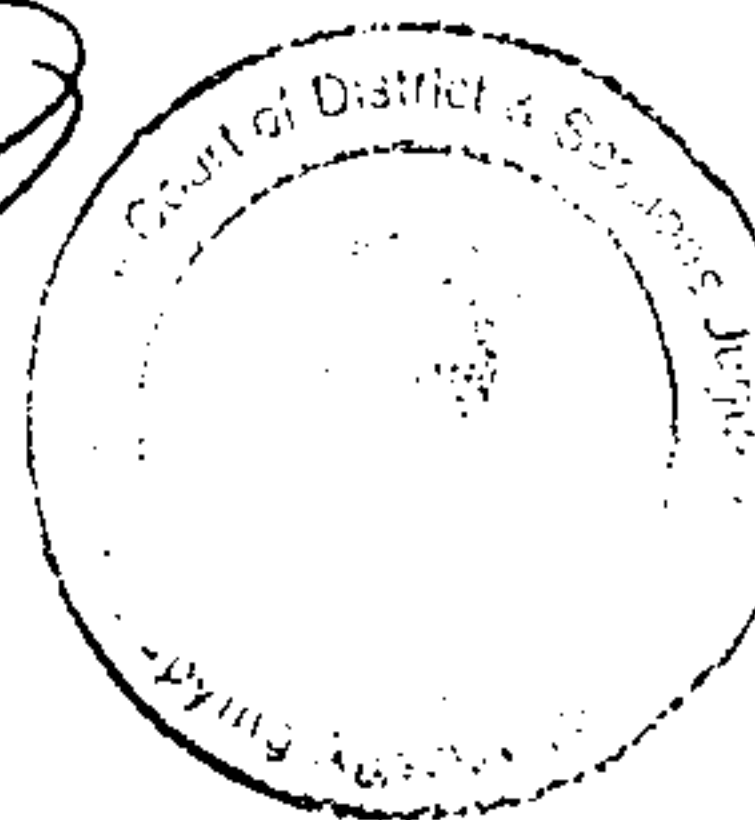
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SEBI Vs. Endowment Forest (I) Ltd.  
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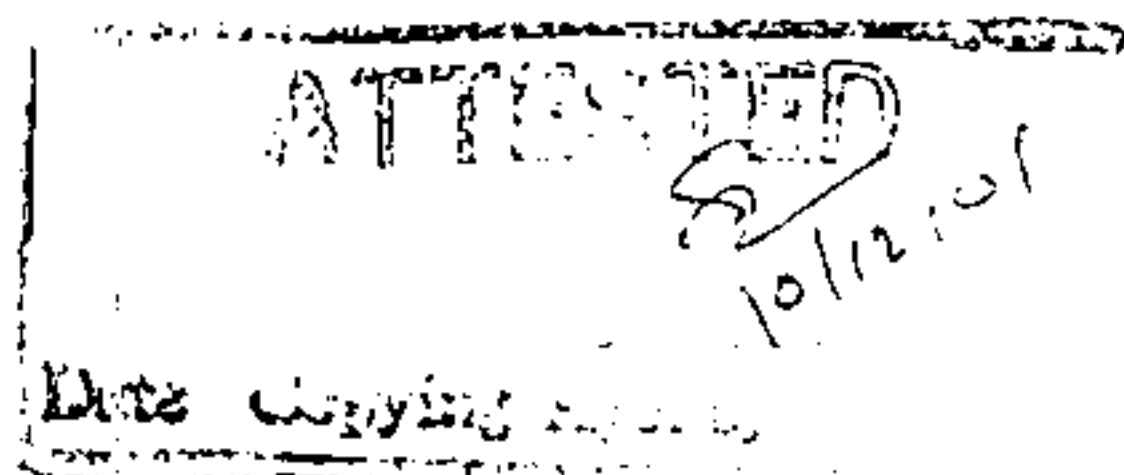
*"Collective Investment Scheme - (1) Any scheme or arrangement which satisfies the conditions referred to in sub-section (2) shall be a collective investment scheme.*

*(2) Any scheme or arrangement made or offered by any company under which, -*

- (i) the contributions, or payment made by the investors, by whatever name called, are pooled and utilized for the purposes of the scheme or arrangement;*
- (ii) the contributions or payments are made to such scheme or arrangement by the investors with a view to receive profits, income, produce or property, whether movable or immovable, from such scheme or arrangement;*
- (iii) the property, contribution or investment forming part of scheme or arrangement, whether identifiable or not, is managed on behalf of the investors;*
- (iv) the investors do not have day-to-day control over the management and operation of the scheme or arrangement.*

16. The accused had admitted in their statement u/s 313 Cr.P.C. that the company had given information vide letter dated 17.12.97 which is Ex. CW 1/1 informing that company had mobilized Rs. 10.67 lacks as on 30.11.97 under its CIS scheme and the accused were the promoters/directors of the company. Accused 4 and 7 examined as DW 1 and DW 2 stated in their cross examination that they did not know if accused company applied for registration of its scheme thereby evading  
*Compliance of the*  
reply regarding statutory obligations.

17. SEBI notified regulation on 15.10.99 and same were

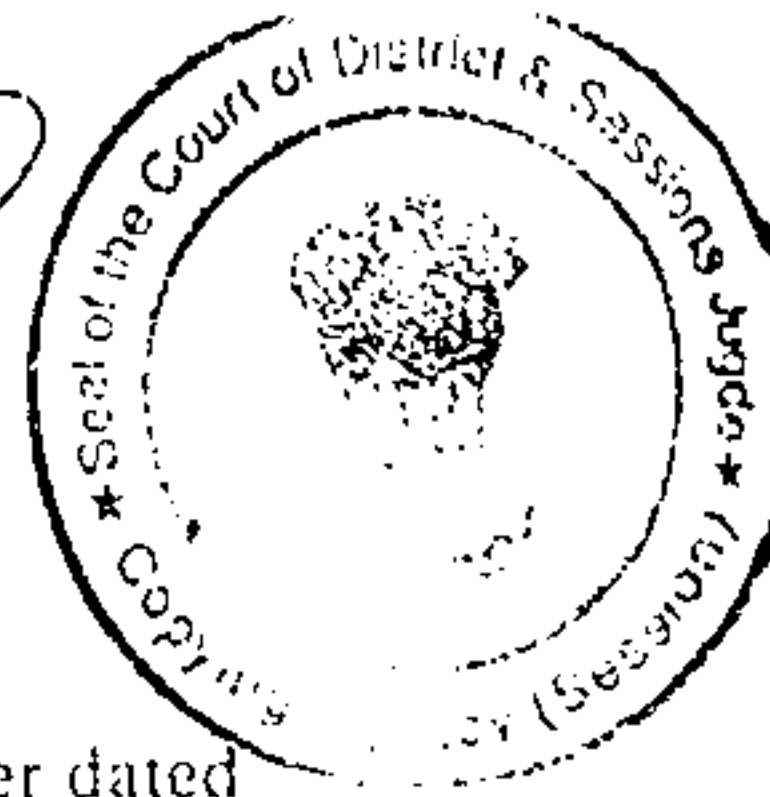


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SEBI Vs. Endowment Forest (I) Ltd.  
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intimated to accused vide public notice dated 20.10.99 and letter dated  
21.10.99 Ex. CW 1/2.

18. CW 1 stated in her cross examination that SEBI received copy of letter dated 3.07.2000 sent by ICRA Ltd. to accused V.K. Kansal director of accused company confirming that they had withdrawn their outstanding rating of CS-5 assign to their CIS is Ex. CW 1/DA. The said withdrawal was due to the fact that accused did not apply for registration of its CIS scheme with SEBI.

19. CW 1 proved CW 1/1 issued by accused company, the authenticity of this documents has not been challenged even by accused. As per the undisputed documents Ex. CW 1/1 dated 17.12.97, and its enclosures the accused company had invited the general public to invest in its various schemes which were to be managed by it, so it is an admitted that the accused company had been running CIS even on 30.11.97.

20. According to section 12(1B) of the Act no person could sponsor CIS without obtaining registration from SEBI in accordance with the regulations.

21. The regulation came into force w.e.f. 15.10.99. The intimation regarding notification of regulation was given to accused

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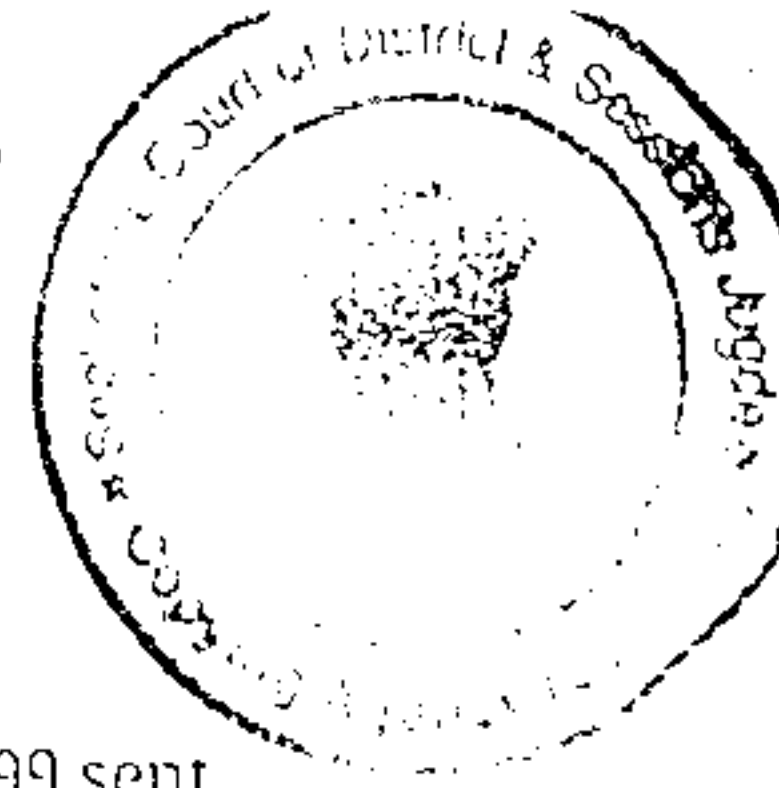
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SEBI Vs. Endowment Forest (I) Ltd.  
Cr. NO. 54/09

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company vide public notice dated 20.10.99 and letter dated 21.10.99 sent through registered post copy of letter dated 21.10.99 is Ex. CW 1/2. By virtue of the said letter various provisions of the regulation were brought to the notice of accused company. As per regulation (5) of the Regulation the accused company had to apply for registration of its CIS till 31.03.2000. Further as per regulation 73 (1) CIS which failed to make an application for registration to SEBI would wind up the same and repay the investors. Apart from this as per regulation 74 existing CIS which was not desirous of obtaining provisional registration from SEBI would formulate a scheme of repayment and make repayment to the investors in the manner specified in regulation 73. According to Regulation 73(2) the existing CIS to be wound up shall send information memorandum to the investor who had subscribed to the scheme with 2 months from the date of receipt of information from SEBI.

22. The government of India set up SEBI under the Securities & Exchange board of India Act. 1992 with the aim of protecting investors interest. Violation of the SEBI act has been made criminal offence and SEBI had to file criminal complaint against such violators.

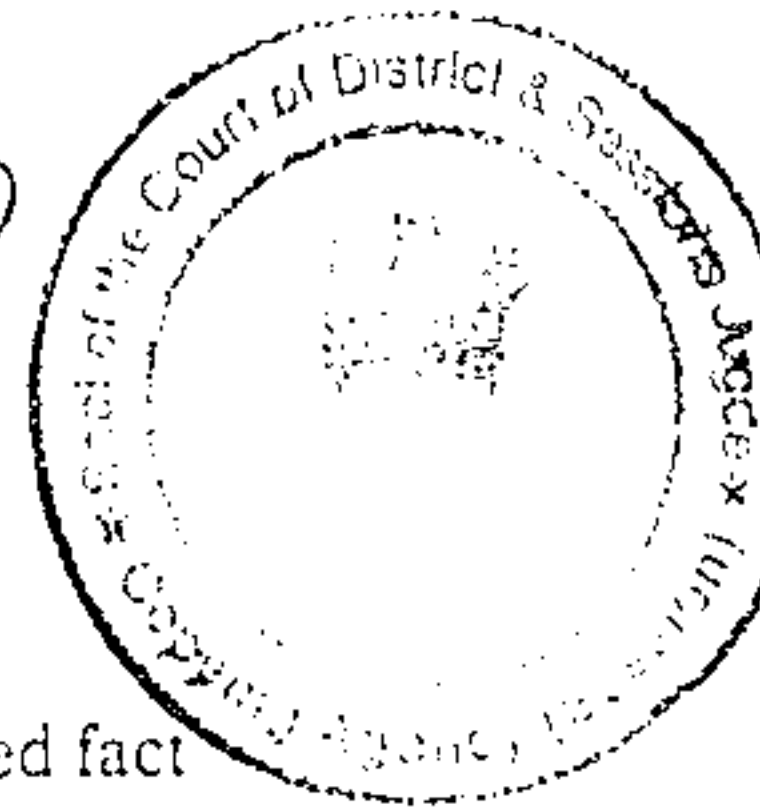
23. The accused company in pursuance to the public notices and press releases issued by SEBI furnished details to SEBI vide Ex. CW 1/1 and its enclosures. According to the same company had mobilized

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Date 10/12/01  
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SEBI Vs. Endowment Forest (I) Ltd.  
Cr. NO. 54/09

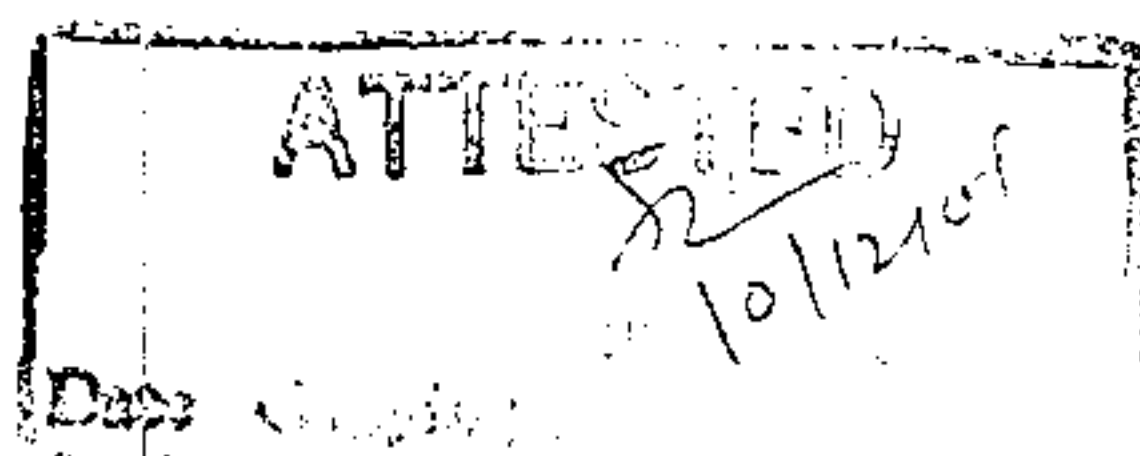
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fund to the extent of Rs. 10.67 lacks as on 30.11.97, so it is a admitted fact that accused company had been running CIS as on 30.11.97. As per the undisputed letter CW 1/1 and its enclosures issued by accused company, Smt. Savita Kansal was the director of accused company and Devender Pal the promoter. In view of the same I hold that accused company of which accused no. 4 was the director and accused no. 7 was a promoter had been running CIS after 1995 and collecting funds form general public without registration.

24. SEBI CIS Regulations was notified on 15.10.99. After notification of regulations accused had to apply for registration of its CIS as per Regulation(5). Further as per the regulation 73(1) CIS which failed to make an application with SEBI, would wind up the same and repay the investors. Apart from this as per Regulation 74, existing CIS which was not desirous of obtaining provisional registration from SEBI, would formulate a scheme of repayment and make such repayment to the existing investors in the manner specified in Regulation 73.

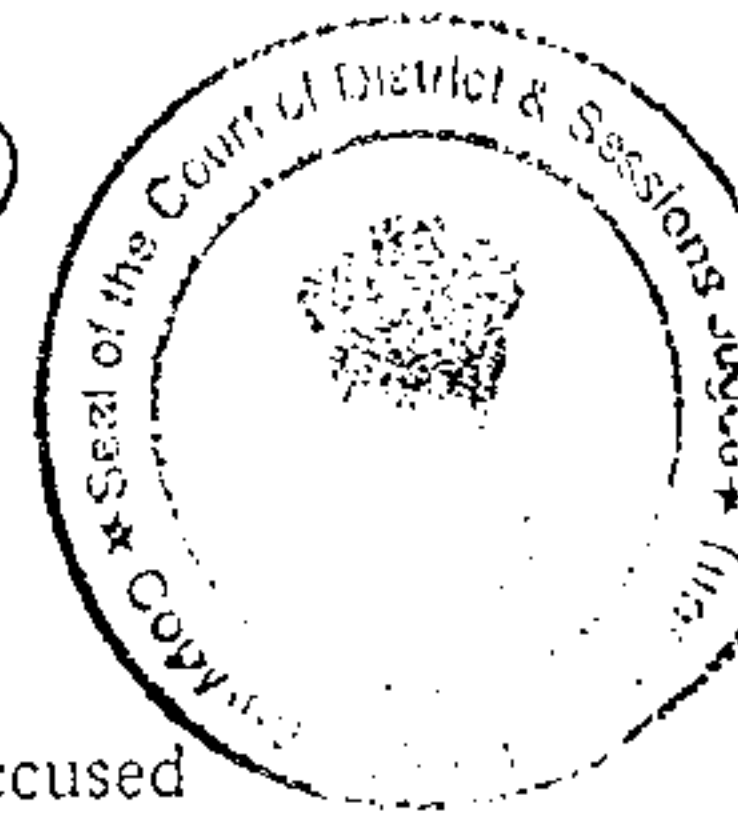
25. According to Regulation 73(2) the existing CIS to be wound up, shall send an information memorandum to the investors who had subscribed to the schemes, within two months from the date of receipt of intimation from SEBI.



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Cr. NO. 54/09

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26. The allegations in the complaint are that the accused company neither applied to SEBI for registration nor took steps to wind up its scheme nor repaid the investors. SEBI chairman directed the accused order dated 7.12.2000 to refund the money collected, however accused despite repeated directions of SEBI failed to comply with the said regulation. Hence SEBI filed the complaint against the accused for having violated regulation 68(1), 68(2) 73 and 74 read with regulation 5(1) of the SEBI act 99 read with section 11(B) and 12(1B) of the SEBI Act punishable under Section 24(1) of the Act read with section 27 of the Act.

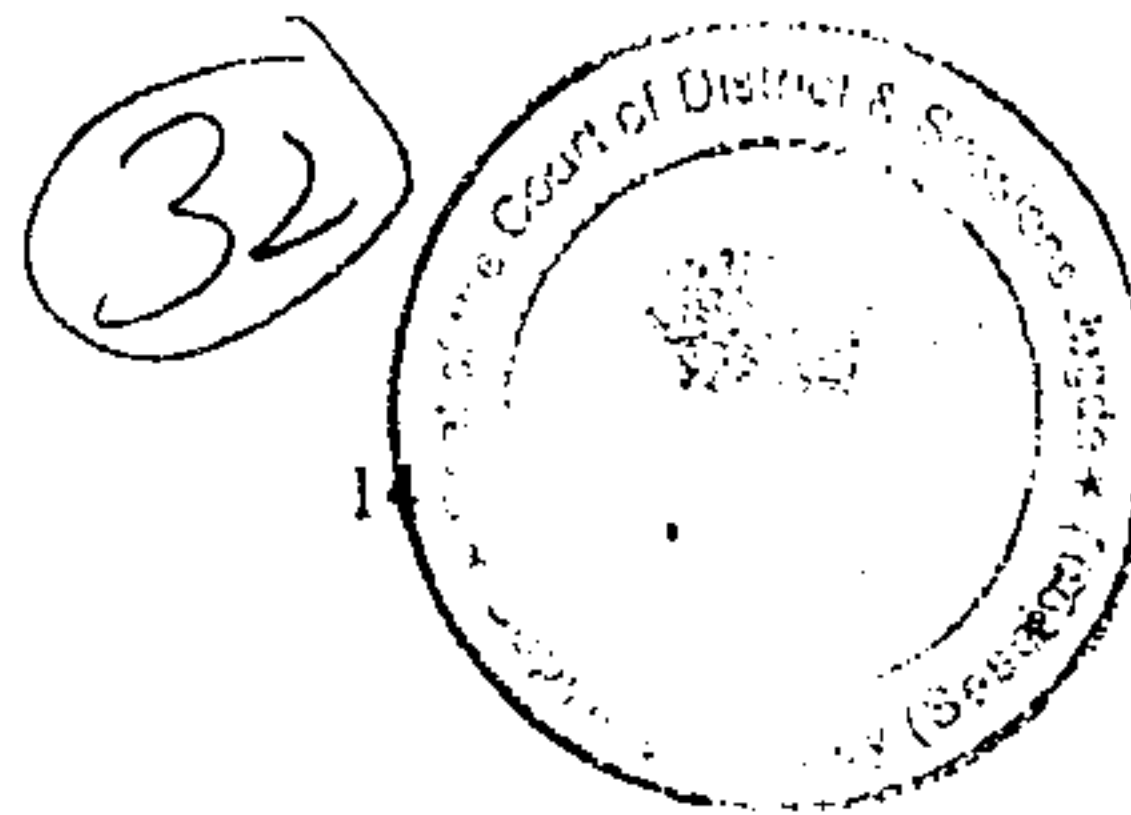
27. DW 1 and DW 2 deposed that they had no knowledge if the accused company was wound up or not. In their cross examination DW 1 and DW 2 stated that they did not know if the accused company had filed any application for registration of its schemes with SEBI and further stated that they did not know if the accused company had filed its winding up and repayment report with SEBI.

28. The contention of Ld. Counsel for accused is that accused no. 1 company was wound up vide order of Hon'ble High court of Punjab and Haryana however no such order was placed on record to show that the official liquidator had taken the charge of accused company and company could be represented only through official liquidator and that the accused ceased to be the director of the company.

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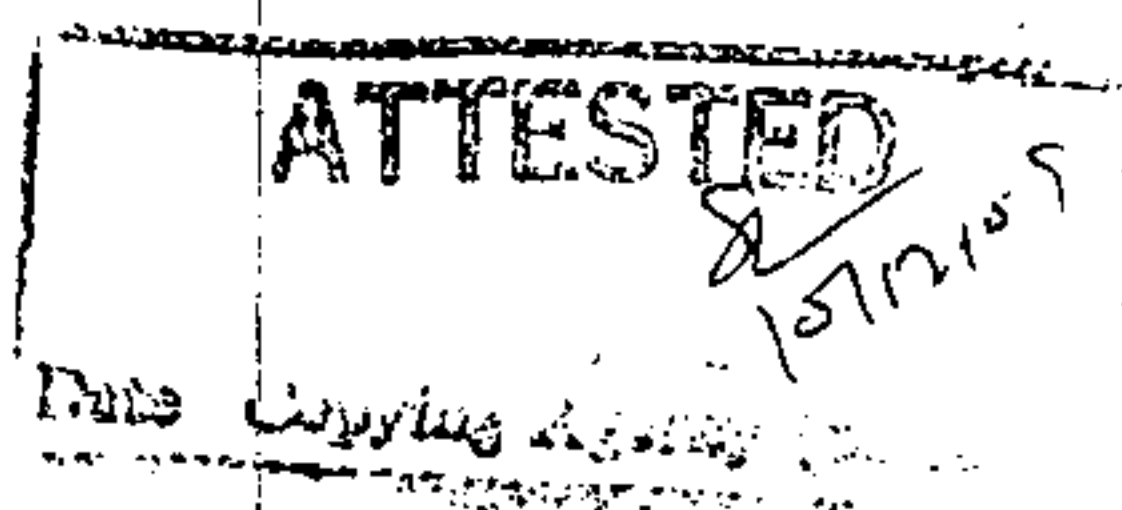
SEBI Vs. Endowment Forest (I) Ltd.  
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29. The contention of the Ld. Counsel for accused that accused was not aware of the press release and public notice issued by the government of India directing company who were running CIS to file information with SEBI regarding their scheme cannot be accepted as the intimation sent by SEBI was returned unserved with the remarks "Office closed" " left address". It appears that accused had left the address without informing change of their address to SEBI in these circumstances they cannot plead ignorance for non compliance of the statutory violations.

30. Ld. Counsel for SEBI contended that accused raised substantial amount of funds from the general public and caused pecuniary losses to the general public who had invested their hard earned money in the schemes operated by the accused.

31. For the foregoing reason on the basis of the evidence led by SEBI and documents filed on record by the parties I am of the view that accused were running CIS and were thus governed by the regulation. Thus there was existing CIS run by accused at the time of the notification of the regulation in 1999. Accused company was bound to submit winding up and repayment report to SEBI in terms of the obligation 73 and 74 which they failed to do so till filing of the complaint as admitted



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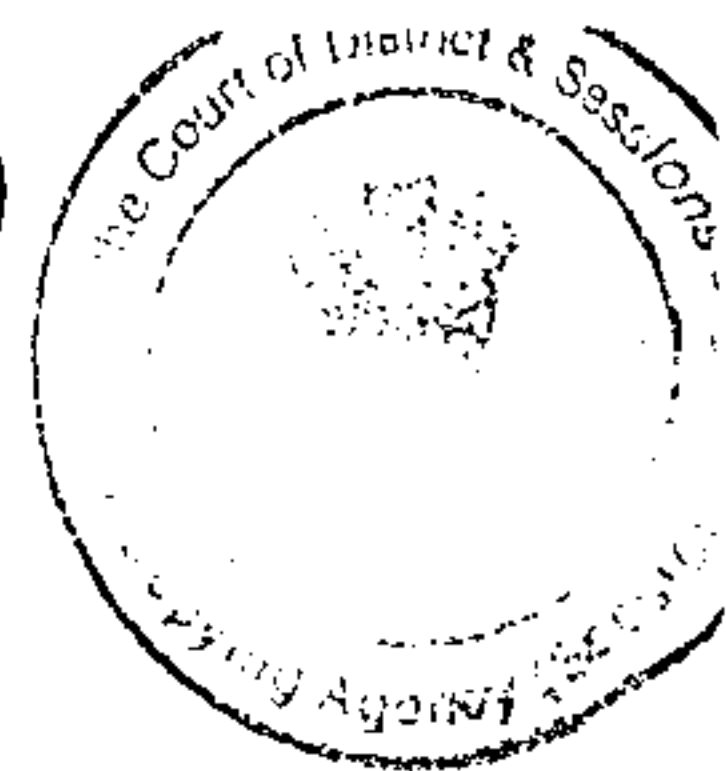
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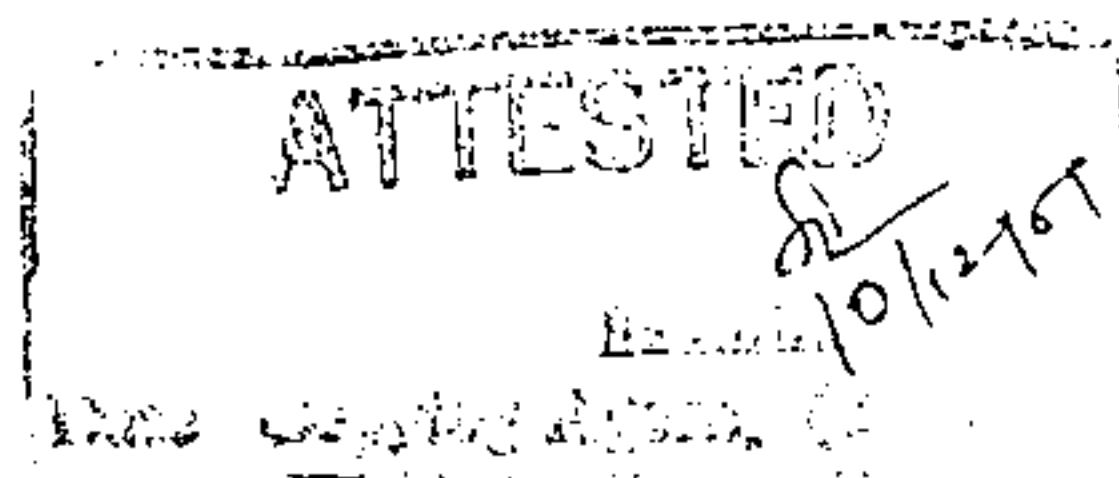
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by the accused Virender Kansal. The notification of regulation sent by SEBI to accused returned with the remarks "left without address" hence it appears that accused were evading the information sent by SEBI. In these circumstances the accused cannot plead ignorance for non compliance of statutory obligation.

32. According to Section 12(1B) of the Act, no person could run CIS or cause it to be conducted without registration. Promoters and sponsors of CIS scheme are covered under section 12(1B) of the Act. Therefore the accused no. ~~2~~, 4 and 7 were responsible to ensure that the business of CIS was run according to the law and the regulation.

33. The defence taken by the accused is that their office was closed in the year 1999 and company was wound up in terms of the order of Hon'ble High court of Punjab and Haryana. In this regard it is pertinent to mentioned that SEBI had forwarded the format of winding up and repayment report in which accused company were required to furnish information regarding winding up of its scheme and repayment. Accused company failed to comply with the said regulatory provisions. The averments made by the accused that company was wound up cannot save it from the liability for violations of the statutory provisions of the Act. Moreover no documents has been placed on record by accused to show that company had been wound up and and an official liquidator



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SEBI Vs. Endowment Forest (I) Ltd.  
Cr. NO. 54/09

was appointed.

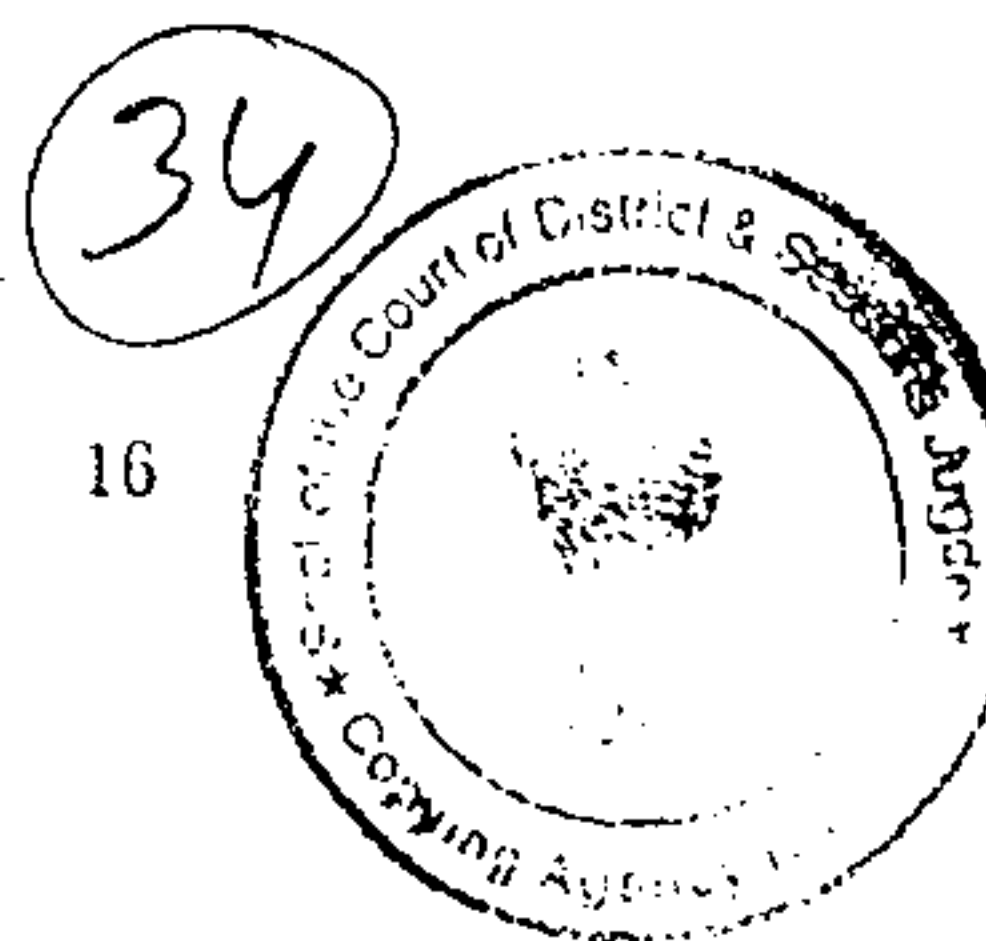
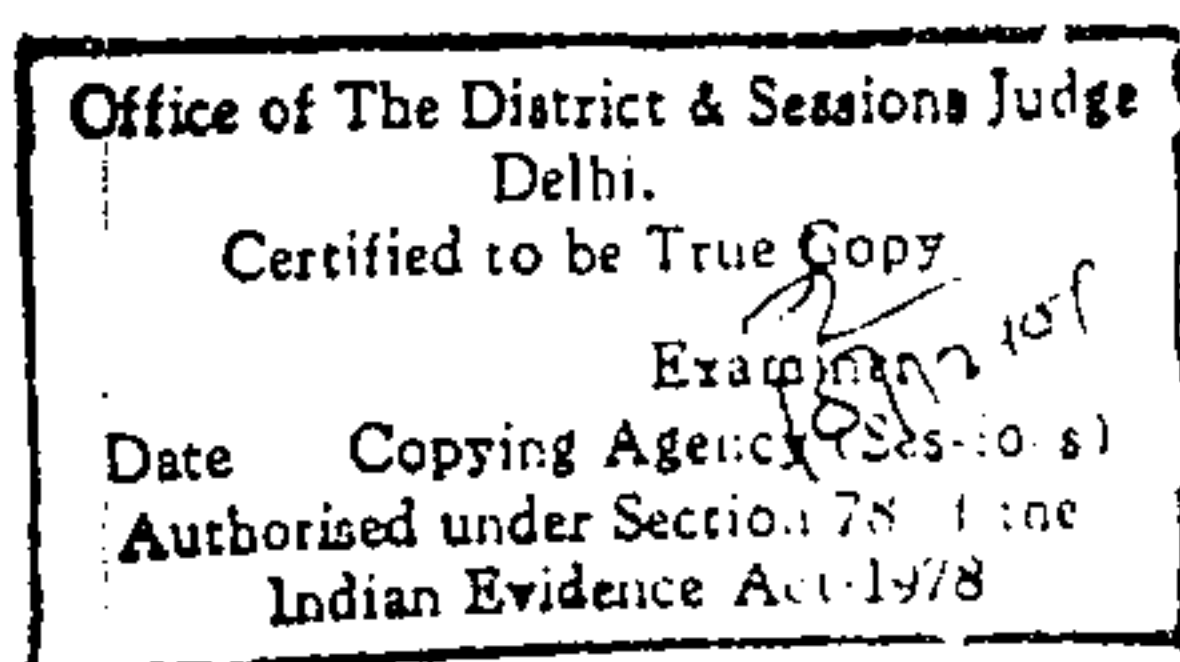
34. For the forgoing reason I hold that SEBI has proved its case against the accused company of which accused no. 4 was the director and accused no. 7 was the promoter to the effect that CIS as contemplated by section 11 AA of the Act, had been floated, funds mobilized from general public without obtaining certificate of registration as required by section 12(1B) of the Act. It has also been proved that despite coming into force of the regulation accused company failed to make an application for registration of its CIS within statutory period contemplated by regulations. Apart from this SEBI has also proved beyond reasonable doubt that accused company neither got registered its CIS nor wound up the same nor repaid the money to its investors as per regulation 73 and 74, Therefore accused no. 4 and 7 are held guilty for the offence punishable u/s 24 read with the section 27 of the Act.

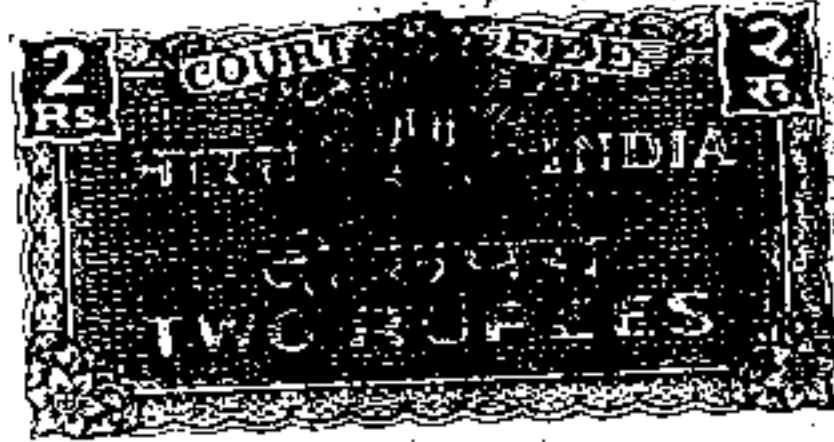
Announced in the open court  
On this day of 19<sup>th</sup> November 2009

(POONAM CHAUDHARY)  
ASJ (Central-01) DELHI

I Rem of Copy  
J/c  
19/11/09

II Rem





IN THE COURT OF LD. ADDITIONAL CHIEF METROPOLITAN  
MAGISTRATE, DELHI

CC NO: 355 OF 2005  
26/02/05

Securities and Exchange Board of India,  
a statutory body established under the  
provisions of Securities and Exchange  
Board of India Act, 1992, having its  
Head office at Mittal Court, B - Wing,  
224 Nariman Point, Mumbai 400021 and  
Regional Office at Block No. 32,  
Rajendra Bhawan, Rajendra Place, New  
Delhi, represented by its Asst. General  
Manager, Mrs. Jyoti Jindgar.

...Complainant

VERSUS .

1. Endowment Forests (I) Ltd, a  
Company incorporated Under the  
Companies Act, 1956, having its  
Registered Office at: SCO No. 84,  
First Floor, Sector 35 C, Chandigarh  
160036.

And also having its Admn. Office at:  
SCO 423-424, First Floor, Sector 35  
C, Chandigarh 160036

2. Shri Virender Kumar Kansal, S/o  
Jagdish Chander, Promoter and  
Director of accused No. 1, Resident

ATTESTED

Date Copying Agency (Seal)

of Khoti No. 2147, Sector 44-C,  
Chandigarh.

3. Shri J.C. Kansal Director of accused  
No. 1, Resident of Khoti No. 2147,  
Sector 44-C, Chandigarh.

*Died  
(same as A6)*

4. Mrs. Savita Kansal W/o Virender  
Kumar Kansal, Promoter and  
Director of accused No. 1, Resident  
of Khoti No. 2147, Sector 44-C,  
Chandigarh.

5. Shri B.K. Bhat S/o Shri Dar Bhat  
Promoter of accused No. 1, Resident  
of 3366, Sector 46-C, Chandigarh.

*P.O.*

6. Shri Jagdish Chander S/o Shri  
Harisharan Dass, Promoter of  
accused No. 1, Resident of Khoti No.  
2147, Sector 44-C, Chandigarh.

*Died  
(same as A3)*

7. Shri Davinder Pal S/o Sh. Uggar  
Sain, Promoter of accused No. 1,  
Resident of: House No. 2936, Sector  
47-C, Chandigarh.

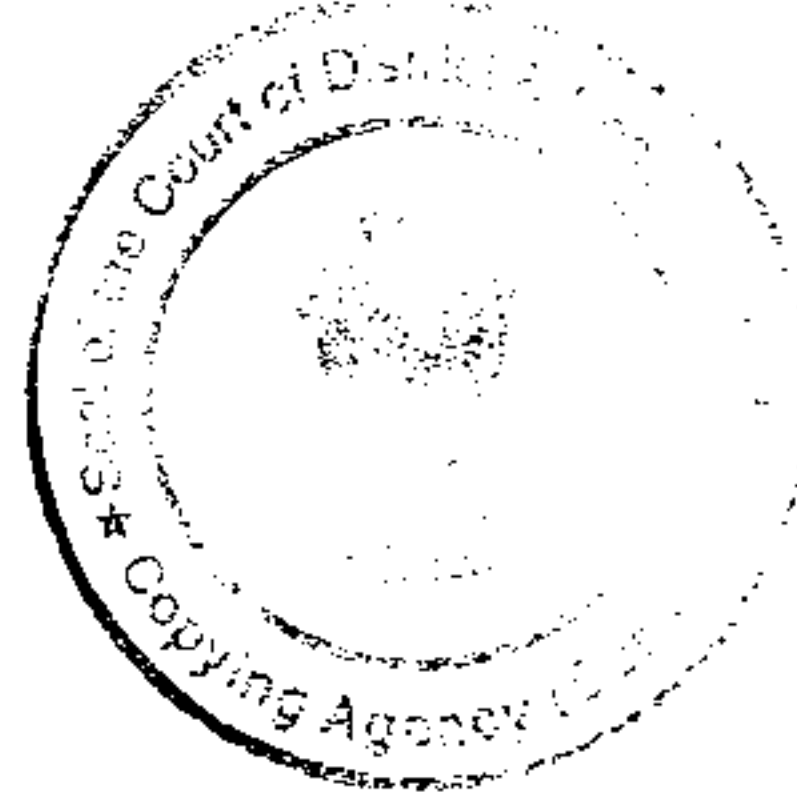
8. Shri Prabhakaran Pillathu S/o Shri  
S.N. Panicher, Promoter of accused  
No. 1, Resident of: House No. 105,  
Sector 45-A, Chandigarh.

*(P.O.)*

9. Shri G.M. Bhat S/o Ali Ahmed Bhat,  
Promoter of accused No. 1, Resident

*P.O.*





3

of: House No 6150, Housing  
Complex, Manimajra, Chandigarh.

.....Accused

COMPLAINT UNDER SECTION 24(1), 27 OF SECURITIES AND  
EXCHANGE BOARD OF INDIA ACT, 1992 READ WITH SEC190  
AND 200 OF THE CODE OF CRIMINAL PROCEDURE, 1973.

**ATTESTED**

*8/9/2019*

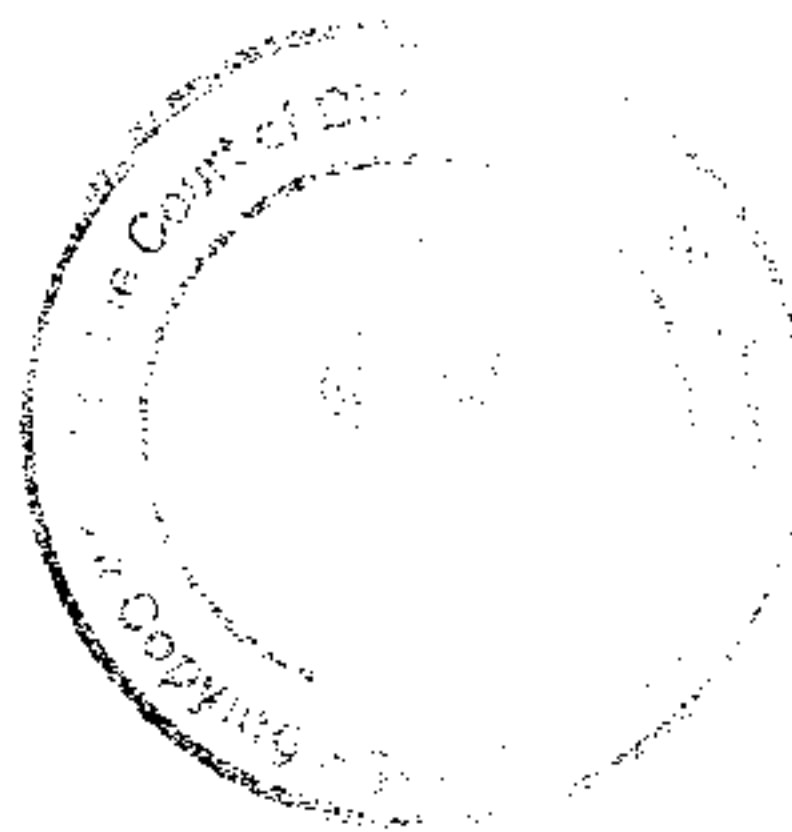
Date Copying Agency (C.A.)

IN THE COURT OF MS. POONAM CHAUDHARY  
ASJ (CENTRAL-01) : DELHI

CC No. 54/09

SEBI Vs. Endowment Forest (I) Ltd.

04.12.2009.



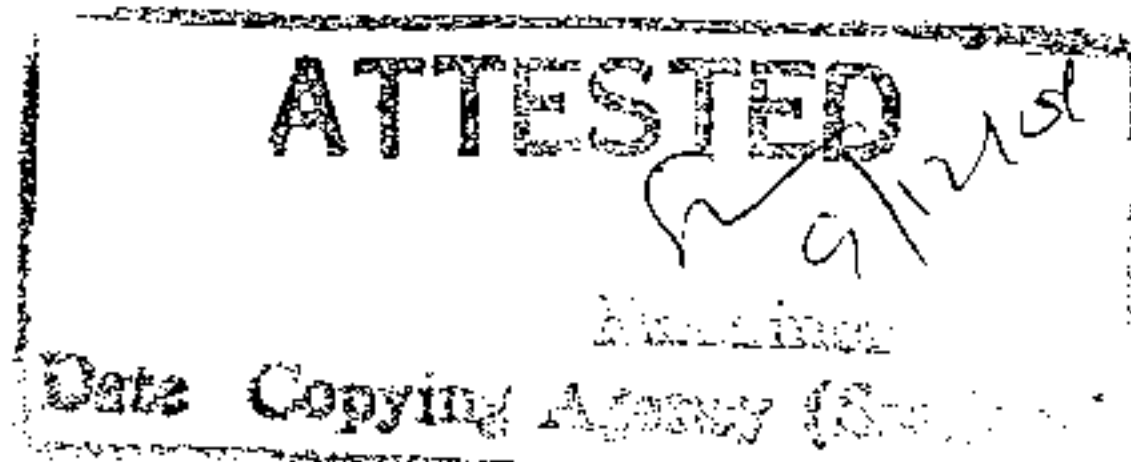
ORDER ON SENTENCE

Present: Sh. Sanjay Mann, counsel for SEBI.

Convicts 4 and 7 present with counsel Sh. Ashish Jain.

1. I have heard the Ld. Counsel for SEBI Sh. Sanjay Mann and Sh. Ashish Jain Ld. Counsel for convicts 4 and 7 and also perused the record.
2. Ld. Counsel for convicts submits that convicts no. 4 is 48 years old and she is widow. It is further submitted that she has to look after her minor child, hence lenient view may be taken.
3. It is submitted on behalf of convict no. 7 that he is 45 years old and his family comprises of his wife and three children and he is the sole earning member of the family, prayer is made for taking a lenient view.
4. Ld. Counsel for SEBI has opposed the request made by the Ld. Counsel for convicts.
5. The Act came into force in 1992 to provide for establishment of a Board to protect the the interest of investors in securities and to promote the development of and regulate securities market and matters connected therewith. According to section 12(1B) of the Act, the Collective Investment scheme could not be run without obtaining registration as per regulations.

65  
Addl. Sessions Judge  
M (Cent-01)  
The Hazari Courts, Delhi



27/12



6. It is significant to mention that w.e.f 29.10.2002 section 24 of the Act was amended and provides imprisonment extending up to 10 years and fine up to Rs. 25 crores or both. This shows that the the legislature has viewed the offences under the act and regulation very seriously. Hence in my opinion strict view is called for in the case in question. Moreover the money of investors has still not been returned, no proof had been filed on record to show that the money of the investors had been returned.

7. However as the offence in question was committed before the amendment came into force hence, in these facts and circumstances of the present case convicts no. 4 and 7 shall undergo rigorous imprisonment for 6 months each. In addition they shall pay a fine of Rs. 50,000/- (Fifty thousand) each in default of payment of fine the defaulter shall undergo SI for 2 months *u/s* 24 of the Act. Copy of order be given to convicts free of cost. File is consigned to record room.

8. Application moved on behalf of convicts for suspension of sentence till filing of the appeal.

9. Heard. In view of the section 389(3)(i) as the convicts were on bail and intend to file an appeal the sentence of imprisonment is suspended till 03.01.2010. Both the convicts are admitted on bail on furnishing personal bonds in the sum of Rs. 10,000/- each with one surety each of the like amount till 03.01.2010.

*Poonam Chaudhary*  
(POONAM CHAUDHARY)  
ASJ(Central-01)/DELHI Sessions Judge  
04.12.2009 (Central)-01  
1st Hazari Courts, Delhi.

