

IN THE COURT OF ADDITIONAL CHIEF METROPOLITAN
MAGISTRATE, DELHI

CC NO: 1195 OF 2003
16/12/85

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 400 021
represented by its Asst. General Manager,
Rakesh Bhanot.

...Complainant

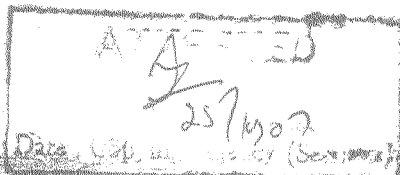
VERSUS.

1. New India Horticulture And Agro Ltd.
Company incorporated under the
Companies Act, 1956, having its Regd.
Office at Amar Singh Katra, Renu
Sagar Road, Anpara, Sonbhadra,
Sonbhadra-UP and Admn. Office at
Murli Bhavan, C/10A, Ashok Marg,
Lucknow (U.P.)
2. Shri Narbadeshwar Giri, S/o Shri
Jagannath Giri, Director of Accused
No.1, R/o: Gram Parasi Post Office,
Anpara, Distt. Sonbhadra, U.P.
3. Shri Mahendra Ram Verma S/o Shri
Ram Avtar Ram, Director of Accused

Dr. O.S.P. Giri
40E-202, Mukharje Hgr
Gandhi Bazar, Delhi

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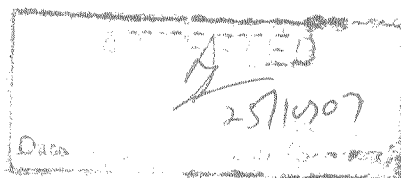
No.1, Hamidganj, Daltonganj, Distt.

Palamu, Bihar.

4. Shri Manoj Kr. Dubey S/o Shri
Bishwanath Dubey, Director of
Accused No.1, R/o: Pathrahi, Lesliganj,
Distt. Palamu, Bihar.

.....Accused

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



CC. No.143/2005

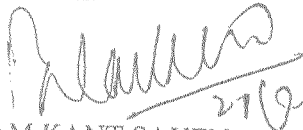
21.09.2007

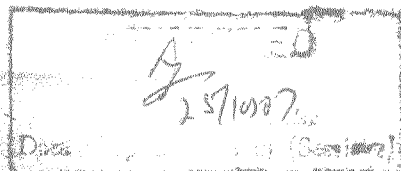
Present: None for SEBI.

Convict nos. 2 to 4 are present on bail for self and accused no.1 with Shri M.R. Saran, advocate.

Vide separate order of date, dictated and announced in the open court, each accused is ordered to pay a fine in the sum of Rs.7,000/-(Rupees Seven Thousand only). In case of default, the defaulter accused except accused no.1 would undergo S.I. for one month. Out of the amount of fine, if realised, a sum of Rs.5,000/- be paid to the complainant for defraying the expenses incurred by it in the prosecution of the instant case. It is further directed that as per the aforesaid SEBI Regulations accused shall file winding up and repayment report with SEBI within 2 months which shall be got audited by it and it shall be open to SEBI, to take action as per law. Bail Bonds of convicts stand cancelled and their sureties stand discharged. Copy of the judgment dated 20.09.2007 and this order be supplied to accused free of cost.

File be consigned to record room.

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(PADAM KANT SAXENA)
ADDL. SESSIONS JUDGE:
Delhi/ 21.09.2007



IN THE COURT OF Sh. PADAM KANT SAXENA,
ADDITIONAL SESSIONS JUDGE: DELHI.

CC 143/05 (New)

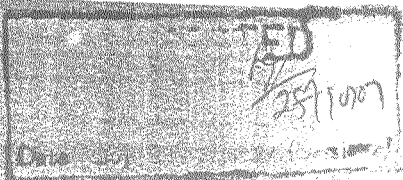
SEBI VS. New India Horticulture and Agro Ltd. etc.

ORDER ON SENTENCE

Vide judgment dated 20.09.2007 each accused had been held guilty and therefore convicted under Section 24 of Securities and Exchange Board of India Act, 1992.

Arguments on sentence had been heard. Learned defence counsel has argued that a lenient view be taken in the matter on the ground that only a nominal amount had been mobilized by the accused. Further according to him, the accused who have been facing trial for a long time and therefore there is a prayer for sympathetic consideration of their case.

As discussed in the judgment dated 20.09.2007 by this court, accused had been running collective investment schemes and had also mobilized funds to the tune of Rs.1,56,300/- from general public. It was also held in the said judgment that the said schemes were not got registered and in violation of the provisions of Securities and Exchange Board of India (Collective Investment Scheme Regulations, 1999), neither the said schemes were



wound up nor repayments were made to the investors. Further, as required by the said Regulations, winding up and repayment report was also not filed with SEBI.

In the facts and circumstances of the present case, in exercise of my powers under Section 24 of Securities and Exchange Board of India Act, 1992 each accused is ordered to pay a fine in the sum of Rs.7,000/- (Rupees Seven Thousand only). In case of default, the defaulter accused except accused no.1 would undergo S.I. for one month. Out of the amount of fine, if realised, a sum of Rs.5,000/- be paid to the complainant for defraying the expenses incurred by it in the prosecution of the instant case. It is further directed that as per the aforesaid SEBI Regulations accused shall file winding up and repayment report with SEBI within 2 months which shall be got audited by it and it shall be open to SEBI, to take action as per law.

This case stands disposed of accordingly. Bail Bonds of accused stand cancelled and their sureties stand discharged. Copy of the judgment dated 20.09.2007 and this order be supplied to 37 accused free of cost.

(PADAM KANT SAXENA)

ADDITIONAL SESSIONS JUDGE:

Morbadeshwarji DELHI

Mahendra Ram Verma

21/09/07 Manoj Kumar Dubey

Copy given to Convict in the Court at F.C.M. 21/09/07

Office of the Sessions Judge	
Date 22/09/07	
Authorised (Sessions)	
Section 78 of the	
1 of 1973 Act-1973	