

IN THE COURT OF SHRI CHANDRA SHEKHAR, SPECIAL JUDGE CBI-19 (PC ACT), ROUSE AVENUE DISTRICT COURTS, NEW DELHI

FIR No. RCAC-1, 2020A0004
CBI/ACU-I/New Delhi
U/s: 7A, 8, 9, 10 & 12 of PC Act,
1988, R/W Sec. 120-B of IPC.
CBI Vs. N.M.P. Sinha & ors.

06.10.2020

Presence:

(Through CISCO Webex Meetings App)

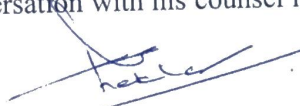
Sh. Raman Kumar, Ld. Sr. Public Prosecutor for CBI
IO Ravinder Kumar, Inspector of Police, CBI, AC-1, New Delhi.
Ld. Defence Counsel Ms. Payal Jain, for accused N.M.P. Sinha.

ORDER ON APPLICATION OF ACCUSED N.M.P. SINHA SEEKING TO MEET HIS COUNSEL FOR SUFFICIENT TIME AND IN PRIVATE

An application on behalf of accused N.M.P. Sinha seeking to meet his counsel for sufficient time and in private was moved before Ld. Principal District & Sessions Judge-cum-Special Judge, Rouse Avenue District Courts, New Delhi Ms. Sujata Kohli, who assigned the same to this court today, for adjudication and disposal of the same.

Today, I have heard Ld. Defence counsel, Ld. Sr. Public Prosecutor and IO for CBI on the said application through CISCO Webex Meeting App arranged by Sh. Raj Kuamr, the Reader of this court.

Ld. Defence counsel has submitted that vide order dated 03.10.2020, the application of CBI seeking police custody remand was allowed and 10 minutes time twice a day was granted to the accused to meet his counsel in the presence of IO or some officer of CBI, but the time granted to the accused to meet his counsel is not sufficient to understand the case of CBI and defence of the accused, the same may be enlarged for one hour at a stretch and accused may be permitted to have conversation with his counsel in



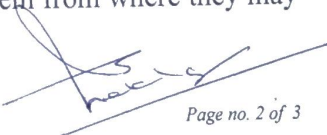
private. The application filed by CBI seeking police custody remand and Post Trap Memo may be provided to her, so that she may properly defend the case of accused N.M.P. Sinha.

Ld. Sr. Public Prosecutor and the IO for CBI have submitted that copy of the application which was moved on 03.10.2020 seeking police remand shall be supplied to Ld. Defence counsel on her Whats App today itself. The IO has submitted that during investigation, Post Trap Memo was not prepared but Recovery memo was prepared and copy of the same has already been provided to the accused. The IO has further submitted that accused is in police custody, Ld. Defence counsel is seeking a long time to have conversation with the accused in private, the same will hamper and adversely affect the on-going investigation, therefore, the said request may not be allowed.

I have considered the submissions of both the parties and perused the application moved on behalf of the accused.

It is well established law incorporated under Article 22 of the Constitution of India that after arrest, accused has a right to meet counsel of his choice and to have conversation with him or her in private. To materialize that right accused is entitled to have conversation with his counsel for sufficient time, so that he may tell complete facts and circumstances of the case to his counsel and also apprise his counsel about his defence.

Keeping in view the aforesaid constitutional right of the accused and the fact that accused is in police custody, it seems it is in the interest of justice, if the accused is permitted to have conversation in private with his counsel today itself at CGO Complex, Lodhi Road, New Delhi i.e. the Head office of CBI, where accused is stated to be kept by CBI during police custody remand. The Ld. Defence counsel may visit the aforesaid place today and meet the accused in between 5:00 p.m. to 6:00 p.m to have conversation in private with the accused. The CBI is directed to arrange the meeting of accused with his counsel in private for aforesaid period, the IO or any other officer officer of CBI is/are not permitted to be present so near to them from where they may



Page no. 2 of 3


overhear their conversation, however they are permitted to see them from a considerable distance.

The IO has submitted that he will provide the necessary facility to the accused and his counsel, so that accused may avail his legal rights and he or any of the CBI officers shall not be present, so close to the accused or his counsel, from where their conversation may be heard.

The present application moved on behalf of accused N.M.P. Sinha is allowed, the directions made herein are partial modification of the order dated 03.10.2020 allowing the application of CBI seeking police custody remand, the same be read as part and parcel of the said order only, the application is allowed and disposed of accordingly.

A copy of this order is being sent through Whats App to Sh. Raj Kumar, Reader of this court with a direction to get this order uploaded on the official website of Delhi District Courts at the earliest through Computer Branch, Rouse Avenue Courts Complex, New Delhi. He is also directed to send a Whats App copy of the order to the respective counsels of the parties at the earliest. The Reader is also directed to supply a whats app copy of the order dated 03.10.2020 to Ld. Defence Counsel. A signed hard copy of the order shall be placed on record as soon as work is resumed from the Court premises of Rouse Avenue District Courts, New Delhi.




श्री चन्द्र शेखर
Sh. Chandra Shekhar
Special Judge, PC Act (CBI-19)
Rouse Avenue Courts, New Delhi
06.10.2020
श्री चन्द्र शेखर (सी.जे.)
Special Judge PC Act (CBI-19)
कैम्प नं. 404, चौथी मंजिल
राजज एवेन्यू न्यायालय परिसर
Rouse Avenue Court Complex
मई दिल्ली
New Delhi

IN THE COURT OF SHRI CHANDRA SHEKHAR,
SPECIAL JUDGE CBI-19 (PC ACT), ROUSE AVENUE
DISTRICT COURTS, NEW DELHI

FIR No. RC AC-1, 2020 A0004

CBI/AC-I/New Delhi
U/s: 7A, 8, 9, 10 & 12 of PC Act,
1988, R/W Sec. 120-B of IPC.
Parth Jalan Vs. CBI

06.10.2020

Presence:

(Through CISCO Webex Meetings App)

Sh. Raman Kumar, Ld. Sr. Public Prosecutor for CBI.

IO Ravinder Kumar, Inspector of Police, CBI, AC-1, New

Delhi.

Ld. Defence Counsel Sh. Shree Prakash Sinha for accused

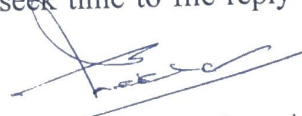
Parth Jalan.

**ORDER ON APPLICATION SEEKING ANTICIPATORY
BAIL MOVED ON BEHALF OF ACCUSED PARTH JALAN
UNDER SECTION 438 Cr.P.C.**

An application seeking anticipatory bail on behalf of accused Parth Jalan was moved before Ld. Principal District & Sessions Judge-cum-Special Judge, Rouse Avenue District Courts, New Delhi Ms. Sujata Kohli, who assigned the same today to this court for adjudication and disposal of the same.

Today, I have heard Ld. Defence counsel, Ld. Sr. Public Prosecutor and IO for CBI on the present application through CISCO Webex Meeting App arranged by Sh. Raj Kuamr, the Reader of this court.

Ld. Public Prosecutor and the IO seek time to file reply of



the application and to address arguments on the same and have submitted that application may be adjourned for hearing for 09.10.2020 at 2.00 p.m as the accused are to be produced in the court on that day at aforesaid time after police custody remand.

I d. Defence counsel has submitted that protection may be given to the accused till the next date.


IO has submitted that he will not take any coercive action against accused Parth Jalan till disposal of the present application, however, accused Parth Jalan should join the investigation as per phone calls and notices sent to him.

In view of the submissions of the IO, it seems there is no need to pass any interim order on the application. Accused may join the investigation as per law.

The application is adjourned for filing reply and addressing arguments on 09.10.2020 at 2.00 p.m.

A copy of this order is being sent through Whats App to Sh. Raj Kumar, Reader of this court with a direction to get this order uploaded on the official website of Delhi District Courts at the earliest through Computer Branch, Rouse Avenue Courts Complex, New Delhi. He is also directed to send a Whats App copy of the order to the respective counsels of the parties at the earliest. A signed hard copy of the order shall be placed on record as soon as work is resumed from the Court premises of Rouse Avenue District Courts, New Delhi.




CHANDRA SHEKHAR
Special Judge, CBI-19 (PC Act)
Rouse Avenue Courts, New Delhi
06.10.2020

श्री चन्द्र शेखर
Sh. Chandra Shekhar
Special Judge PC Act (CBI)-19
कमरा नं 404, चौथी मंजिल
राउसे अवेन्यू, न्यायालय परिसर
Rouse Avenue Court Complex
नई दिल्ली
New Delhi

CIS No. 157/19
CBI Vs. Shailender Kr. Upadhayay
& Ors.
U/S 120B IPC R/W Sec. 419, 467,
468, 471, 406, 411 IPC & S. 13(2)
R/W S. 13(1)(d) of PC Act

06.10.2020

Presence:

(Through CISCO Webex Meetings App)

Sh. Amit Kumar, Ld. PP for the CBI.

IO Insp. Veer Joyti for CBI.

Accused No.1 Shailender Kumar Upadhayay in person with
Ld. Counsel Ms. Radhika Arora.

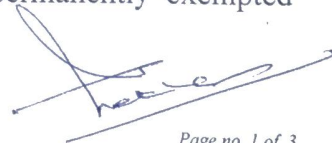
Ld. Counsel Sh. Dhruv Sherawat for accused no.2. Harbans
Lal Maan, who is also present in person.

Accused No.3 Shobhana Kumar in person with Ld. Counsel
Sh. Vikas Kumar.

None for accused no.4 M/S R.B.M. Developers, accused
no.5 Rajindra Bhushan Sharma, accused no.6 Meera Sharma, accused
no. 7 Arvind Singh, accused no.8 Arvinder Kaur and accused no.9
Parminder Singh.

Ld. Counsel Ms. Beauty Singh for accused no.10 M/s
Vashisht Infratech Pvt. Ltd., accused no. 11 Madhup @ Karan Vashisht,
accused no. 12 Deepay Radhey.

Accused no. 12 Deepa Radhey is permanently exempted



through counsel vide order dated 14.05.2019.

None for accused no. 13 Mohit Tiwari.

Accused no.14 Yogendra Kumar Gupta, accused no. 16 Jogninder Singh and accused no.17 Vipin Rathi are PO.

None for accused no.15.

All the accused persons, except the accused persons, who are permanently exempted as per previous order, are directed to appear in person before the court through CISCO Webex Meeting App. till further orders unless the court resumes work from the court premises or some other order is passed by Hon'ble High Court of Delhi or office of the Ld. District & Sessions Judge, Rouse Avenue District Court, New Delhi in this regard.

Today, in the interest of justice, no adverse order is passed against the accused persons, who did not appear through aforesaid App in view of the exceptional circumstances of spread of pandemic Covid-2019.

The IO seeks some more time for compliance of previous order dated 23.09.2019 and 13.03.2019.

Heard. Request allowed.

At the request of IO, put up for compliance of afore dated orders on 05.11.2020.

A copy of this order is being sent through Whats App to Sh. Raj Kumar, Reader of this court with a direction to get this order uploaded on the official website of Delhi District Courts at the earliest through Computer Branch, Rouse Avenue Courts Complex, New Delhi. He is also directed to send a Whats App copy of the order to the respective counsels of the parties at the earliest. A signed hard copy of the order shall be placed on record as soon as work is resumed from the



Court premises of Rouse Avenue District Courts, New Delhi.

CHANDRA SHEKHAR
Special Judge, CBI-19 (PC Act)
Rouse Avenue Courts, New Delhi
06.10.2020

CIS No. 209/19
CBI Vs. Shailender Kr. Upadhayay
& ors.
U/S 120B IPC R/W Sec. 420,
467, 468, 471 IPC & S. 13(2)
R/W S. 13(1)(d) of PC Act, 1988.

06.10.2020

Presence:

(Through CISCO Webex Meetings App)

Sh. Amit Kumar, Ld. PP for the CBI.

IO Insp. Ms. Veer Jyoti for CBI.

Accused no.1 S. K. Upadhayay in person on bail with Ld.
Counsel Ms. Radhika Arora.

Ld. Counsel Sh. Dhruv Sherawat for accused no.2 Harbans
Lal Maan, who is also present in person on bail.

Ld. Proxy Counsel Sh. Manish Sharma for accused No.3
M/s Emtek Constructions Pvt. Ltd., Company.

Ld. Counsel Sh. Manish Sharma for accused no.4 Mohit
Tiwari.

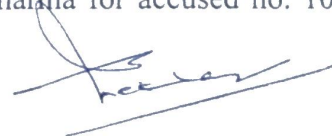
Accused no.5 Yogender Gupta is already declared PO.

Ld. Counsel Ms. Divya Thapliyal for accused no.6 Sudha
Verma.

None for accused no. 7 Arun Aggarwal.

Ld. Counsel Ms. Beauty Singh for accused no. 8 M/s
Vashisht Infratech, accused no. 9 Madhup @ Karan Vashisht and accused
no. 11 Sunil Kumar Singh.

Ld. Proxy Counsel Sh. Manish Sharma for accused no. 10
Rajinder Bhushan Sharma.



***Accused no.12 Sunil Kumar Chhikara has already expired
and proceedings against him have already been abated.***

None for accused no. 13 Mukesh Juneja and accused no. 14
Perminder.

Accused no. 15 Sunil Kumar is already declared PO.

All the accused persons, except the accused persons, who
are permanently exempted as per previous order, are directed to appear
in person before the court through CISCO Webex Meeting App, till
further orders unless the court resumes work from the court premises or
some other order is passed by Hon'ble High Court of Delhi or office of
the Jd. District & Sessions Judge, Rouse Avenue District Court, New
Delhi in this regard.

Today, in the interest of justice, no adverse order is passed
against the accused persons, who did not appear through aforesaid App
in view of the exceptional circumstances of spread of pandemic Covid-
2019.

The IO seeks some more time for compliance of previous
order dated 23/09/2019 and 13/05/2020.

Hears Request allowed.

At the request of IO, put up for compliance of afore dated
orders on **05.11.2020**

A copy of this order is being sent through Whats App to Sh.
Raj Kumar, Reader of this court with a direction to get this order
uploaded on the official website of Delhi District Courts at the earliest
through Computer Branch, Rouse Avenue Courts Complex, New Delhi.
He is also directed to send a Whats App copy of the order to the


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respective counsels of the parties at the earliest. A signed hard copy of the order shall be placed on record as soon as work is resumed from the Court premises of Rouse Avenue District Courts, New Delhi.



CHANDRA SHEKHAR
Special Judge, CBI-19 (PC Act)
Rouse Avenue Courts, New Delhi
06.10.2020

CC No. 225/19
CBI Vs. Darsh Constructions Pvt.
Ltd. & ors.
U/S 120B R/W Sec. 419, 420, 467,
468, 471, 406, 411 IPC & 13(2)
R/W S. 13(1)(d) of PC Act, 1988.

06.10.2020

Presence:

(Through CISCO Webex Meetings App)

Sh. Amit Kumar, Ld. PP for the CBI.

IO Insp. Veer Jyoti for CBI.

Ld. Counsel Sh. Rajesh Dua for accused no. 1 M/s Darsh Construction, company.

Accused no.2 S. K. Upadhayay in person with Ld. Counsel Ms. Radhika Arora.

Ld. Counsel Sh. Dhruv Sherawat for accused no.3 Harbans Lal Maan, who is also present in person.

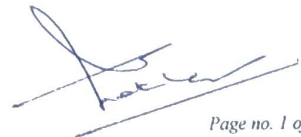
Accused no.4 Sunil Kumar @ Samunder Singh Chhikara, who was one of the Directors of accused no.1 has expired and proceedings against him have already been abated.

Ld. Counsel Ms. Divya Thapliyal for accused No.5 Ms. Sudha Verma.

None for accused No.6 Parminder Singh.

Ld. Counsel Ms. Beauty Singh for accused no. 7 Madhup Vashisht and accused no. 8 Sunil Kumar Singh.

Accused no. 9 Naveen is not present, the report of the proceedings Under Section 82 Cr.P.C. issued against him cannot be perused as the same is not made available in e-form. The appropriate orders in this regard shall be made after perusal of the judicial record when the work is resumed from court premises.



Ld. Counsel Sh. Parv for accused no.10 Vijay Kumar.

Accused no.11 Ankit Sangwan in person with Ld. Counsel Sh. Ashutosh Singh.

None for accused no.12 Anil Tandon.

Ld. Counsel Ms. Akansha Bansal for accused no.13 Rajesh Dua.

Ld. Counsel Ms. Meenakshi Jha for accused no. 14 Naveen Dabas.

None for accused no.15 Vipin Tyagi and accused no.16 Mukesh Juneja.

Accused no.17 Narul Alam in person with Ld. Counsel Sh. Yatinder Nath.

Ld. Counsel Ms. Beauty Singh for accused no. 18 M/s Vashisht Infratech Pvt. Ltd., company.

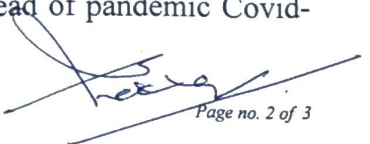
Ld. Counsel Ms. Meenakshi Jha for accused no. 19 Neeraj Dabas.

None for accused no.20 Jagbir Singh.

Accused no. 21 Shree Prakash Gupta and accused no.22 Arun Kumar Gupta in person on bail.

All the accused persons, except the accused persons, who are permanently exempted as per previous order, are directed to appear in person before the court through CISCO Webex Meeting App. till further orders unless the court resumes work from the court premises or some other order is passed by Hon'ble High Court of Delhi or office of the Ld. District & Sessions Judge, Rouse Avenue District Court, New Delhi in this regard.

Today, in the interest of justice, no adverse order is passed against the accused persons, who did not appear through aforesaid App in view of the exceptional circumstances of spread of pandemic Covid-



Page no. 2 of 3

2019.

The IO seeks some more time for compliance of previous order dated 23.09.2019 and 13.03.2019.

Heard. Request allowed.

At the request of IO, put up for compliance of afore dated orders on **05.11.2020**.

A copy of this order is being sent through Whats App to Sh. Raj Kumar, Reader of this court with a direction to get this order uploaded on the official website of Delhi District Courts at the earliest through Computer Branch, Rouse Avenue Courts Complex, New Delhi. He is also directed to send a Whats App copy of the order to the respective counsels of the parties at the earliest. A signed hard copy of the order shall be placed on record as soon as work is resumed from the Court premises of Rouse Avenue District Courts, New Delhi.



CHANDRA SHEKHAR
Special Judge, CBI-19 (PC Act)
Rouse Avenue Courts, New Delhi
06.10.2020

CC No. 228/19
CBI Vs. Shailender Kr. Upadhayay
& Ors.
U/S 420, 467, 468, 471, 406 IPC
& 13(2) R/W S. 13(1)(d) of PC Act

06.10.2020

Presence:

(Through CISCO Webex Meetings App)

Sh. Amit Kumar, Ld. PP for the CBI.

IO Insp. Veer Jyoti for CBI.

Accused No.1 Shailender Kumar Upadhayay in person with
Ld. Counsel Ms. Radhika Arora.

Ld. Counsel Sh. Dhruv Sherawat for accused no.2 Harbans
Lal Maan, who is also present in person.


None for accused no.3 Rajendra Bhushan Sharma and
accused no. 4 Meena Sharma.

All the accused persons, except the accused persons, who
are permanently exempted as per previous order, are directed to appear
in person before the court through CISCO Webex Meeting App. till
further orders unless the court resumes work from the court premises or
some other order is passed by Hon'ble High Court of Delhi or office of
the Ld. District & Sessions Judge, Rouse Avenue District Court, New
Delhi in this regard.

Today, in the interest of justice, no adverse order is passed
against the accused persons, who did not appear through aforesaid App
in view of the exceptional circumstances of spread of pandemic Covid-
2019.

The IO seeks some more time for compliance of previous
order dated 23.09.2019 and 13.03.2019.

Heard. Request allowed.



At the request of IO, put up for compliance of afore dated orders on **05.11.2020**.

A copy of this order is being sent through Whats App to Sh. Raj Kumar, Reader of this court with a direction to get this order uploaded on the official website of Delhi District Courts at the earliest through Computer Branch, Rouse Avenue Courts Complex, New Delhi. He is also directed to send a Whats App copy of the order to the respective counsels of the parties at the earliest. A signed hard copy of the order shall be placed on record as soon as work is resumed from the Court premises of Rouse Avenue District Courts, New Delhi.



CHANDRĀ SHEKHAR
Special Judge, CBI-19 (PC Act)
Rouse Avenue Courts, New Delhi
06.10.2020

CIS No. 229/19
CBI Vs. Shailender Kr. Upadhayay
& Ors.
U/S 120B IPC R/W Sec. 419, 420,
467, 468, 471 IPC & S. 13(2)
R/W S. 13(1)(d) of PC Act

06.10.2020

Presence:

(Through CISCO Webex Meetings App)

Sh. Amit Kumar, Ld. PP for the CBI.

IO Insp. Veer Jyoti for CBI.

Accused No.1 Shailender Kumar Upadhayay in person with
Ld. Counsel Ms. Radhika Arora.

Ld. Counsel Sh. Dhruv Sherawat for accused no.2. Harbans
Lal Maan, who is also present in person.

Ld. Counsel Sh. Harish Sharma for accused No.3 M/s RBM
Developers Pvt. Ltd., accused no. 4 Rajinder Bhushan Sharma and
accused no.5 Meera Sharma.

Accused no.6 Krishan Kumar Gupta is already declared PO.

Ld. Counsel Ms. Divya Thapliyal for accused no.7 Sudha
Verma.

Accused no.8 Arun Aggarwal in person with Ld. Counsel
Sh. Rakesh Nautiyal.

None for accused no.9 Parminder Singh.

Ld. Counsel Ms. Beauty Singh for accused no.10 M/s
Vashisht Infratech Pvt. Ltd. and accused no.11 Madhu @ Karan
Vashisht and accused no.12 Deepa Radhey.

Accused no.12 Deepa Radhey is permanently exempted
during trial of the case vide order dated 14.05.2019 through Ld. Counsel
Sh. Rajesh Ranjan and Rajnish Singh.



Ld. Counsel Ms. Beauty Singh for accused no.13 Sunil Kumar Singh and accused no. 14 Savita.

None for accused no. 15 Mohit Tiwari,

Accused no. 16 Pappu in person with Ld. Counsel Sh. Pujya Kumar.

None for accused no. 17 Pawan Yadav.

Accused no. 18 Reeta Upadhayay in person with Ld. Counsel Ms. Radhika Arora.

Accused no. 19 Samunder Chhikara @ Sunil Kumar has already expired and proceedings against him have been abated.

Accused no. 20 Prem Singh is already PO.

Ld. Counsel Sh. Shashi Shanker for accused no. 21 Rajinder Nagar and accused no. 22 Jagdish.

None for accused no. 23 Jai Bhagwan Goyal.

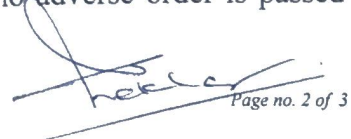
Accused no. 24 Kama Venkataswaralu is already declared PO.

None for accused no. 25 Rakesh Kumar Sharma, accused no. 26 Hari Om and accused no. 27 Rajinder Singh.

Accused no. 28 Seema Bai and accused no. 29 Kanwar Bai are permanently exempted vide order dated 04.04.2018, through Ld. Counsel Sh. Gyaneshwar, but today counsel is not present.

All the accused persons, except the accused persons, who are permanently exempted as per previous order, are directed to appear in person before the court through CISCO Webex Meeting App. till further orders unless the court resumes work from the court premises or some other order is passed by Hon'ble High Court of Delhi or office of the Ld. District & Sessions Judge, Rouse Avenue District Court, New Delhi in this regard.

Today, in the interest of justice, no adverse order is passed


Page no. 2 of 3

against the accused persons, who did not appear through aforesaid App in view of the exceptional circumstances of spread of pandemic Covid-2019.


CBI is directed to file reply to the pending application of accused no.14 seeking permanent exemption.

The IO seeks some more time for compliance of previous order dated 23.09.2019 and 13.03.2019.

Heard. Request allowed.

At the request of IO, put up for compliance of afore dated orders on 05.11.2020.

A copy of this order is being sent through Whats App to Sh. Raj Kumar, Reader of this court with a direction to get this order uploaded on the official website of Delhi District Courts at the earliest through Computer Branch, Rouse Avenue Courts Complex, New Delhi. He is also directed to send a Whats App copy of the order to the respective counsels of the parties at the earliest. A signed hard copy of the order shall be placed on record as soon as work is resumed from the Court premises of Rouse Avenue District Courts, New Delhi.


CHANDRA SHEKHAR
Special Judge, CBI-19 (PC Act)
Rouse Avenue Courts, New Delhi
06.10.2020

CIS No. 24/19, CIS No. 240/19
CBI Vs. S. Rabban Alam
U/S 7 & 13(2) R/W Sec. 13(1)(d)
of PC Act, 1988.

06.10.2020

Presence:

(Through CISCO Webex Meetings App)

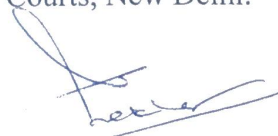
Sh. Amit Kumar, Ld. PP for the CBI.

Ld. Counsel Sh. Umesh for accused S. Rabban Alam.

No PW is present.

Case is adjourned for PE for 04.12.2020.

A copy of this order is being sent through Whats App to Sh.Raj Kumar, Reader of this court with a direction to get this order uploaded on the official website of Delhi District Courts at the earliest through Computer Branch, Rouse Avenue Courts Complex, New Delhi. He is also directed to send a Whats App copy of the order to the respective counsels of the parties at the earliest. A signed hard copy of the order shall be placed on record as soon as work is resumed from the Court premises of Rouse Avenue District Courts, New Delhi.



CHANDRA SHEKHAR
Special Judge, CBI-19 (PC Act)
Rouse Avenue Courts, New Delhi
06.10.2020