

(PHYSICAL HEARING)

CC No. 358/2019

CBI Vs. Shambhu Prasad Singh & Ors.

RC No. AC-I/2014/A0008/CBI/AC-I/New Delhi

**u/S. 120B r/w 420/471 r/w 467 IPC & u/S. 13(2) r/w 13(1)(d) of
PC Act, 1989**

30.09.2020

Present : Sh. V. K. Pathak, Ld. PP for CBI along with HIO Sh. Ravish Jha and Sh. Avnish Kumar, Pairvi Officer for CBI.

Sh. Syed Arham Masud, Ld. Counsel for (A-1) and (A-4).

Sh. Pranay Kishore Mishra along with Sh. Ravi Ranjan, Ld. Counsel(s) for (A-2) and (A-5).

Sh. Ravinder Tyagi, Ld. Counsel for (A-6).

Sh. Sunil Saha, Ld. Counsel for (A-7).

Sh. Surya Joshi, proxy counsel for (A-8).

Accused Vinod Gupta (A-7) and Manish Rai Mathur (A-8) are present on bail.

Accused Shambhu Prasad Singh (A-1), Shyam Sunder Bhattar (A-2) and Rudra Narayan Shukla (A-6) are absent.

None for M/s. Sai Baba Builders and Consultants Pvt. Ltd. (A-3).

The matter was proceeding at the stage of arguments on the point of charge(s).



It is stated by the Reader of this Court that exemption application has been received on Court E-mail on behalf of accused Shyam Sunder Bhattar (A-2), who is also representing M/s. Rockside Impex Pvt. Ltd. (A-5) and in physical form for accused Rudra Narayan Shukla (A-6). Heard. In view of reasons stated and in the interest of justice, they are allowed to be exempted from personal appearance for today only. However, accused Shyam Sunder Bhattar (A-2) is directed to positively file the said exemption application with the Ahlmad of this Court on the NDOH.

Ld. Counsel(s) for (A-1), (A-4) and (A-6) have already addressed arguments on the point of charge(s).

Today the Ld. Counsel(s) for (A-2) & (A-5) have addressed arguments on the point of charge(s).

Ld. Defence Counsel(s) for the remaining accused persons submit that some other date be given to them for addressing arguments on the point of charge(s) through physical hearing. Not opposed. Request is allowed in the interest of justice.

Put up for arguments on the point of charge(s) on behalf of accused persons (A-3), (A-7) and (A-8) on **07.10.2020** through physical hearing as requested by Ld. Defence Counsel(s).

The accused persons along with their counsel(s) shall appear in Court No. 602, Rouse Avenue District Court, New Delhi on the above said date and time.

Reader is directed to ensure that all necessary steps have been taken for smooth functioning of the court work on the NDOH.



HIO be summoned for the next date of hearing.

The e-mail copy / signed scanned copy of this order be sent to the Computer Branch, RADC by the Reader for uploading on the official website.



(Sanjeev Aggarwal)
Special Judge (PC Act)(CBI)-02
Rouse Avenue District Court
New Delhi/30.09.2020

**(PHYSICAL HEARING AS WELL AS THROUGH VIDEO
CONFERENCING FROM JAIL)**

CC No. 266/19

CBI Vs. Ishma Arora & Ors.

The present matter has been taken up physically as well as via CISCO Webex platform / video conferencing hosted by Sh. Narender Kumar, Reader of this Court in terms of orders of Hon'ble High Court bearing No. R-235/RG/DHC/2020 dtd. 16.05.2020, 16/DHC/2020 dtd. 13.06.2020, 22/DHC/2020 dtd. 29.06.2020, 24/DHC/2020 dtd. 13.07.2020, 26/DHC/2020 dtd. 30.07.2020 and 322/RG/DHC/2020 dated 15.08.2020 in the presence (on screen) of Sh. V. K. Pathak, Ld. PP for CBI along with Sh. Avnish Kumar, Pairvi Officer for CBI and Sh. K. G. Mishra, Ld. Counsel for (A-3), Sh. Pronay Chatterjee, Ld. Counsel for (A-1) & (A-2) and Sh. Amit Kumar, proxy counsel through VC for (A-5).

30.09.2020

Present : Sh. V. K. Pathak, Ld. PP for CBI along with Sh. Avnish Kumar, Pairvi Officer for CBI.

Sh. K. G. Mishra, Ld. Counsel for A-3.

Sh. Pronay Chatterjee, Ld. Counsel for (A-1) & (A-2).

Sh. Amit Kumar, proxy counsel for (A-5) through video conferencing.

Accused Ishma Arora (A-1), Nitin Kumar Arora (A-2) & Sandeep Khera (A-4) produced/joined from JC.

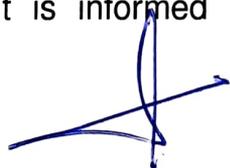
Accused Rajiv Kumar Dogra (A-3) is absent.

Accused Sudhir Kumar (A-5) and Suresh Kumar (A-6) are present on bail.

Accused Amit Verma (A-7) not produced/ joined from JC (absent from JC).

The matter was proceeding at the stage of PE.

It is informed by the Reader of this Court that an



application for exemption has been received on behalf of accused Rajiv Kumar Dogra (A-3) on whatsapp. Heard. In view of reasons stated, the said accused is allowed to be exempted from personal appearance for today only. The said accused is directed to positively file the hard copy of the said application with the Ahlmad of this Court on the NDOH.

Today again the accused Sandeep Khara (A-4) has been advised to furnish his bail bonds in terms of the order dated 28.04.2017, to which, he refused and submitted that he will furnish the bail bonds later on. He was earlier advised similarly on 28.08.2020, on which date he had submitted that **“he is involved in 17 other cases including one case in Ghaziabad, where he is in judicial custody. The accused has been advised many times to furnish his bail bonds then he is likely to be transferred to Dasna Jail, Ghaziabad, where he does not want to go and he wants to remain in JC in Tihar Jail only.”**

Put up for PE on **27.11.2020**.

In the meantime, production warrants through video conferencing be issued qua accused Amit Verma (A-7) for the NDOH.

The e-mail copy / signed scanned copy of this order be sent to the Computer Branch, RADDC by the Reader for uploading on the official website.



(Sanjeev Aggarwal)
Special Judge (PC Act)(CBI)-02
Rouse Avenue District Court
New Delhi/30.09.2020

At 1:05 PM

At this stage, accused Amit Verma (A-7) has been produced / joined through Video Conferencing by Sh. Sunil, Warden, Mandoli Jail.

In these circumstances, there is no need to issue production warrants qua the said accused.



Put up on the date already fixed i.e. **27.11.2020**.


(Sanjeev Aggarwal)
Special Judge (PC Act)(CBI)-02
Rouse Avenue District Court
New Delhi/30.09.2020

(PHYSICAL HEARING)

**CBI Vs. Manoj Prasad & Ors.
RC No. 13(A)/2018/CBI/AC-III/ND**

30.09.2020

Present : Sh. V. K. Pathak, Ld. PP for CBI along with HIO
Inspector Sanjay Jha and Sh. Avnish Kumar.
Sh. Ajit K. Singh, Ld. Counsel for A-1 & A-2.
Sh. Sunil Sethi along with Ms. Seema Seth, Ld.
Counsel(s) for A-3.

Accused Manoj Prasad (A-1), Someshwar Srivastav @
Somesh Prasad (A-2) and Sunil Mittal (A-3) are present
on bail.

The matter was proceedings at the stage of scrutiny of
documents and arguments on the point of charge(s).

Ld. Counsel for (A-1) & (A-2) has moved 13
application(s) on behalf of (A-1) & (A-2) as under :

- 1. Application under Section 207 CrPC filed on behalf of applicant / accused no. 1 for supply of deficient copies...;**
- 2. Application filed by the applicant / accused no. 1 & 2 u/S. 91 of CrPC 1973 r/w Section 207 CrPC seeking directions to CBI to produce copy of the written statement dated 01.10.2018 & 03.10.2018 given by Mr. Satish Babu Sana to Mr. Devender Kumar...;**
- 3. Application filed by applicant / accused 1 & 2 u/S. 91 CrPC r/w Section 207 CrPC seeking direction to the CBI to rpodice**

and supply the same to the applicants, the copy of application filed by Mr.A.K. Bassi in the court of Ld. MM Sheetal Chaudhary Pradhan, Saket Court... ;

4. Application filed by applicant / accused 1 & 2 u/S. 91 CrPC r/w Section 207 CrPC seeking direction to the CBI to produce copy of complaint dated 04.10.2018... ;

5. Application filed by applicant / accused 1 & 2 u/S. 91 CrPC seeking direction to the prosecution agency to bring on record the request letters issued to the Director, CBI...;

6. Application filed by applicant / accused 1 & 2 u/S. 91 CrPC seeking direction to the prosecution agency to bring on record the request letters issued by CBI to the Home Secretary, UOI...;

7. Application filed by applicant / accused 1 & 2 u/S. 91 CrPC r/w. 207 CrPC seeking direction to get the copy of the Loan Agreement...;

8. Application filed by applicant / accused 1 & 2 u/S. 91 CrPC seeking direction to the CBI to bring on record the original DVD / USB HDD sent by the CFSL...;

9. Application filed by applicant / accused 1 & 2 u/S. 91 CrPC seeking direction to the CBI to bring on record the orders sent to the mobile service provider for surveillance...;

10. Application filed by applicant / accused 1 & 2 u/S. 91 CrPC seeking direction for filing / preserving the original hard discs in which the calls were directly recorded and preserved...;

11. Application filed by applicant / accused 1 & 2 u/S. 91



CrPC seeking direction to the CBI and the office of Home Secretary, GOI to produce the documents vide which the phone surveillance/ tapping orders were forwarded...;

12. Application filed by applicant / accused 1 & 2 u/S. 91 CrPC r/w. 207 CrPC seeking direction to the CBI to bring on record the CD provided by RAW...;

13. Application filed by applicant / accused 1 & 2 u/S. 91 CrPC seeking direction to the mobile service provider to produce the call detail records...;

Three separate application(s) have also been moved on behalf of applicant / accused (A-3), details of which are as under :

A) Application filed by applicant / accused 3 u/S. 207 CrPC r/w Section 91 CrPC for supply of deficient copies;

B) Application filed by applicant / accused 3 u/S. 91 CrPC seeking direction to the CBI to furnish copies of the visitor register of the reception of the CBI office from 02.10.2018 to 15.10.2018;

C) Application filed by applicant / accused 3 u/S. 91 CrPC r/w Section 207 CrPC seeking direction to the CBI to produce the call detail records of all the mobile numbers of Mr. Satish Babu Sana.

Copies of all the above application(s) moved on behalf of above accused persons have been supplied to the IO, who seeks some time to file replies to the same. Time granted in the interest of justice.

However, application at serial no. 1 moved on behalf of A-1 and A-2 for supply of deficient copies is taken up at request of the Ld. Defence Counsel and arguments on the same have been heard.



It is stated in para 4 of the said application as under :

4. Details of aforesaid documents which have either not been supplied or illegible, the details of such documents are provided below :

- i) D-290, Page-205 (missing)**
- ii) D-292, Page-117 (missing)**
- iii) D-291, Page-150 & 232 (illegible)**
- iv) D-330, Page-43 to 49 (illegible)**

Heard. The photocopies of the above documents have been supplied by the IO to the Ld. Defence Counsel for A-1 & A-2 today itself in the Court. The application mentioned at serial no. 1 stands disposed off accordingly.

Put up for filing of replies by the IO as well as arguments on the above remaining application(s) on the NDOH.

Ld. Counsel(s) for the accused persons request for addressing arguments on the above applications through physical hearing. Request is allowed in the interest of justice.

Put up for filing of replies as well as arguments on the above application(s) on **15.10.2020** through physical hearing as requested by the Ld. Defence Counsel(s).

The accused persons along with their counsel(s) shall appear in Court No. 602, Rouse Avenue District Court, New Delhi on the above said date.

Reader is directed to ensure that all necessary steps have been taken for smooth functioning of the court work on the NDOH.

HIO be summoned for the next date of hearing.



The e-mail copy / signed scanned copy of this order be sent to the Computer Branch, RADC by the Reader for uploading on the official website.

(Sanjeev Aggarwal)
Special Judge (PC Act)(CBI)-02
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