

CC No. 21/2019
CBI Vs. Gajindra Pal Singh and Others

02.03.2020

Present: Sh. V. K. Ojha, substitute Sr. PP for CBI.

A-1 Gajindra Pal Singh, A-2 Bir Singh, A-4 Surender Pal Singh Rana and A-5 Raman Gupta on bail.

A-3 Gajender Pal Singh produced from Aligarh Jail (*on bail in this case*).

Sh. Shashi Shankar, Advocate for A-1, A-2, A-3 and A-4.

Sh. Ajay Burman, Sr. Advocate with Ms. Ruchi Kapur, Advocate, for accused A-5.

An application is filed by the prosecution to summon the original judicial record from the concerned Court of Ms. Nirja Bhatia, Ld. Special (PC Act) (CBI)-03, RACC, New Delhi. **Be registered as Misc. Application.**

Heard on the relevance and necessity of the application. Application is allowed.

Let the original record be summoned from the concerned Court for today itself at 12.00 noon.

Application disposed of.

There are two witnesses present on behalf of prosecution namely Sh. Sajit Nair and Sh. P. Rajagopal.

Ld. Defence Counsel makes a request that since both the witnesses happen to be from the same company and are to depose on the same lines, it would be in the interest of justice if both the witnesses are first examined-in-chief and allowed to be cross-

examined in continuity one after another to avoid any prejudice to the defence.

Substitute Ld. Sr. PP has no objection to the request.

In the interest of justice, request is allowed.

Sh. Sajit Nair examined-in-chief as PW-4 and, thereafter, deferred for cross-examination.

Sh. P. Rajagopal examined-in-chief in part as PW-5 and, thereafter, deferred for the reasons as recorded in the statement of this witness today itself.

As regards diet money, PW-5 submits that he and PW-4 Sh. Sajit Nair have received allowance from their company i.e. M/s Essential Power Transmission Ltd for their to and fro journey to the Court today.

Keeping in view the fact that Ld. Sr. PP Sh. A. K. Rao is not going to be available this week and the proceedings as they occurred in the testimony of PW5 today, it would be in the interest of justice if the other dates already fixed in the matter are cancelled and a fresh schedule is prepared.

Although, a judicial file was summoned from the Court of Ms. Nirja Bhatia, Ld. Special Judge, however, it is observed that only some part of the judicial file i.e. D-41 to D-49 (in one folder) containing pages No. 2009 to 2435 have been received.

However, Ld. Sr. PP clarifies that these are the only relevant documents, part of the file, which are intended to be put across to the witness eventually.

Let the aforesaid file be returned to the concerned Court for the time being to be re-summoned at the appropriate stage.

PWs 4 and 5 are bound down for 15.04.2020.

List for PE on 14th, 15th and 17th April 2020.

(SUJATA KOHLI)

District & Sessions Judge-cum-Spl. Judge
(PC Act)(CBI)/RACC/ND/02.03.2020

Aj.