

CBI vs. Devender Gupta and Ors.
CC No. 38/2019
RC No. 47(A)/1999/CBI/ACB/ND
CNR no. DLCT11-000229-2019

29.04.2024

Present : Sh. Raj Kamal, Ld PP for CBI.

Sh. Gagan Minocha, Ld. Counsel for A-1.

Sh. Bhavook Chauhan, Ld. Counsel for A-2
& A-3.

Sh. Vishal Sharma, Ld. Counsel for A-4, A-5 & A-6.

Sh. H. R. Dhamija, Ld. Counsel for A-7.

**Personal appearance of accused No.2 & 4 is
stated to be already exempted vide order dated
25.05.2011 through their Ld. counsel.**

**Personal appearance of accused No.3 & 5 is
stated to be already exempted vide order dated
30.04.2012 through their Ld. counsel.**

Accused Devender Gupta (A-1) and Anil Goel (A-6)
are present on bail.

Accused Gobind Ram (A-7) is not present.

An application for exemption from personal appearance has been moved on behalf of (A-7) Govind Ram. It is submitted by Ld. counsel for (A-7) Govind Ram that applicant is aged about 78 years old and suffering from many age related problems. It is further submitted that applicant may kindly be permitted to appear through his counsel and he has no objection if the witnesses are examined in absence of the accused. Heard.

Contd..2/-

In view of the reasons stated in the application, (A-7) Govind Ram is exempted from personal appearance for today.

Cross-examination of PW-45 Sh. Vikas Goel concluded.

It is submitted by Ld. PP for CBI that he wants to re-examine PW-45 Sh. Vikas Goel but he has failed to explain any discrepancy between the statements made in the examination-in-chief and made in the cross-examination. The law of re-examination is clear and it is held in several cases that if there is any discrepancy between the statements made in the examination-in-chief and cross-examination and also if there is an inconsistency between the statements made in the course of cross-examination, then there can be re-examination of witness for the purpose of explaining the meaning of statement which he made during cross-examination. It is submitted by Ld. PP for CBI that cross-examination of this witness has been conducted in detail and he needs some more time to go through the entire statement of PW45 and he wants to move an application for re-examination after going through the statement. PW-45 is discharged for today.

Now to come up for arguments on application U/s 311 CrPC filed on behalf of CBI and for PE on 17.05.2024 and 22.05.2024.

(Rakesh Kumar-III)
Special Judge (PC Act)(CBI)-02
Rouse Avenue District Court
New Delhi/29.04.2024