

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

14.01.2025

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

A-1 Devender Gupta is present on bail with Ld.

Counsel Sh. Gagan Minocha.

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

Anil Goel (A-6) is present on bail.

Sh. Sushil Bajaj and Sh. Mohd. Shahrukh, Ld.
Counsels for A-4, A-5 & A-6.

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

Personal appearance of accused nos.2 and 4 is stated to be already exempted vide order dated 25.05.2011 through their Ld. Counsel.

Personal appearance of accused nos.3 and 5 is stated to be already exempted vide order dated 30.04.2012 through their Ld. Counsel.

An Application for exemption from personal appearance has been moved on behalf of A-7 Govind Ram. In view of the reasons stated in the application, A-7 is exempted from personal appearance for today subject to the condition that he will not dispute the identity of the accused during course of examination of the witnesses.

No PW is present. Summons qua witness K.G. Dua (Sl. No.10) and R. Madhav Rao (Sl. No.8) returned back with report that they have expired. Let death verification report qua these witnesses be verified.

Summons qua witnesses namely Sushil Kumar (Sl. No.4), Lokender Singh (Sl. No.9), Chief Manager, State Bank of Bikaner & Jaipur (Sl. No.23), Shri G.S. Bhatia, Sr. Manager, Bank of Baroda, Rampur Branch(Sl. No.27), Addl. Director,

Vigilance, MCD (Sl. No.29); Asstt. Commissioner (Engg.) MCD (Sl. No.30); M.K. Sharma, Clerk, UBI(Sl. No.16); Satish, SBI, A-336, Meera Bagh, New Delhi (Sl. No.17) received back unserved. Shri Jai Chand, Branch Manager, SBI, Bank Street Krishna Nagar stated that e-mail has been sent to Regional Business Office, Lodhi Road for tracing the whereabouts of concerned official. One Shri Sushil Kumar has appeared and submitted that he is not concerned with the present case and summons have been wrongly served to him second time. Ld. PP submits that sufficient efforts have been made to ensure presence of these witnesses but their whereabouts could not be traced. Therefore, these witnesses be dropped.

In view of submission made by Ld. PP for CBI, above named witnesses have been dropped.

It is submitted by Ld. PP that on next date of hearing IO may be summoned. He has further submitted that there was whatsapp message regarding demise of IO and in case IO has expired, his death verification report be summoned.

In view of submission of Ld. PP, IO be summoned and if the submission made by Ld. PP regarding unfortunate death of IO is correct, then death verification report be called.

One application u/s 311 Cr. P.C for recalling PW-45 is pending. Arguments have already been heard. Be put up for orders on the application U/s 311 Cr. P.C. and for filing death verification reports in respect of PW K.G. Dua, R. Madhav Rao & IO for **27.01.2025**.

(Ankit Singla)
Special Judge (PC Act) CBI-02
RADC/New Delhi/14.01.2025