

CC No. 91/2019
CBI v. S.N.S. Sidhu & ors.
CNR No. DLCT11-000428-2019

19.11.2025

Present: Ms. Jyoti Solanki & Ms. Bindu, Ld. Public
Prosecutors for CBI.

Accused S.N.S. Sidhu is absent. Sh. Hitendra
Kapur, ld. Counsel for the accused.

Accused Atul Vashisht on bail with ld. Counsels Sh.
Manjeet Godara & Ms. Meenal Solanki.

Accused Lal Mani & accused R.S. Sandhu on bail
with Sh. Hitendra Kapur, ld. Counsel.

Accused Mohan Lal on bail. Sh. Naveen Kumar, Ld.
Legal Aid Counsel for the accused.

Accused Vijay Kumar on bail. Ms. Nazima
Siddiqui, Ld. Legal Aid Counsel for the accused
appeared through video conferencing.

Accused Surjeet Singh appeared through video
conferencing. Sh. Manjeet Godara, Ld. Proxy
Counsel for Sh. Baljinder Singh, Ld. Legal Aid
Counsel.

An application seeking exemption from personal
appearance has been moved on behalf of accused S.N.S. Sidhu.
Application perused. For the reasons affirmed in the application,
he is exempted from his personal appearance for today only. He
undertakes that he will not dispute his identity in case evidence is
recorded in his absence.

PW66 Sh. Ashok Kumar Sinha is present, examined,
cross-examined and discharged.

No other PW is present or summoned for today.

An application under section 311 Cr.P.C for recalling PW-21 Sh. Ramesh Sameria moved on behalf of accused Surjeet Singh is pending.

Reply filed by the CBI. Copy supplied to Ld. Proxy Counsel Sh. Manjeet Godara.

Arguments heard.

Record perused.

In a nutshell the case of the applicant is that PW21 Sh. Ramesh Sameria could not be cross-examined as on that day, the lawyers could not appear because the bar had abstained from work. It is his case that in these circumstances, the applicant/accused could not exercise his right of cross-examination so as to rebut the testimony of PW21. It is further his case that cross-examination of PW21 is essential for just decision of the case and for proper defence.

Per contra, while opposing the application, it is the stand of the CBI that the application is devoid of merit and no valid ground to recall the witness has been made out. Further more, the application has been moved after 8 long years and is nothing but an attempt to frustrate & pro-long the trial.

After hearing the rival submissions made at bar and upon perusal of the record, I deem it fit to allow the application at hand. The reason for non cross-examination of PW21 has been suitably explained by the applicant. His counsel could not appear & conduct cross-examination as the bar had abstained from work. That being the situation, I find no reason why the applicant/accused should suffer for no fault of his and why his valuable right of cross-examination, rebutting the prosecution evidence and to put up his defence should be curtailed.

Accordingly, and for proper adjudication of the present dispute as well as in the interest of justice, the application stands allowed. Let PW21 be summoned for the next date of hearing for his cross-examination subject to his availability.

Relist the matter for **recording remaining prosecution evidence on 08.12.2025**. At request, date stands changed to **09.01.2026**.

(GAURAV RAO)
SPECIAL JUDGE (PC ACT) (CBI)
ROUSE AVENUE DISTRICT COURTS
NEW DELHI/19.11.2025