

**CBI Vs Subham Yadav**

**Case No. 105/2019**

**CNR No. DLCT11-000472-2019**

**23.08.2021**

**Present : Sh. Tajvinder Singh, Ld. PP for CBI.**

**Sh. Hitender Kapur, Advocate, Counsel for accused Shubham Yadav.**

The matter has been taken up through video conferencing using CISCO WEBEX hosted by Sh. Sudhir Kumar, Reader of this court, also attended by Sh. Vivek Juyal, Personal Assistant.

On the basis of conjoint reading of the order bearing No. 570-600/RG/DHC/2021 dated 19.08.2021, passed by Hon'ble High Court of Delhi and officer circular bearing No. Power Gaz./RACC/2021/18474-18559-C dated 21.08.2021, passed by the Ld. Principal District & Sessions Judge-cum-Special Judge (PC Act) (CBI), Rouse Avenue District Court, New Delhi, list the matter for prosecution evidence on **30.09.2021** i.e the date fixed for physical hearing.

Ld. Public Prosecutor presses his application seeking waiver of cost of Rs.2,000/- imposed upon the CBI pursuant to the application under section 311 Cr.P.C. seeking recalling of PW-2 Sh. O.N. Singh for re-examination. On being asked, Ld. Counsel for the accused submits that he is neither supporting nor seriously opposing it rather leaving it up to the Court for an appropriate decision. He, however, wants that things should move forward as quickly as possible.

In view of the above, coupled with the fact that a lot of time has already been elapsed due to COVID-19 pandemic and the fact that re-examination of PW-2 Sh. O.N. Singh, as sought by the CBI, is just to bring some limited aspects on record, which according to the CBI is necessary for the just decision of the case and the fact that only three witnesses remains to be examined including the witness in question, therefore keeping in view the

entirety of circumstances, the prayer made on behalf of the CBI is allowed and the cost of Rs.2,000/- imposed upon the CBI is waived off subject to the condition that only one opportunity shall be there to re-examine PW-02 Sh. O.N. Singh in one go and it is made clear that no further leverage shall be granted to the CBI.

**(Vimal Kumar Yadav)**  
**Special Judge (PC Act), CBI-01,**  
**Rouse Avenue District Court, New Delhi**  
**23.08.2021**