

CBI vs. Binod Kumar Giri & Ors.
Registration No. 8/2019

29.04.2019

Present: Sh. Praneet Sharma, Sr. PP and Sh. V. K. Dogra, PP CBI.
Accused Binod Kumar Giri is present on bail with Sh.
Ashwani Vaish, Advocate.
None for accused Asif Ibrahim Dadarkar.
Be awaited.

(Dr. Kamini Lau)
ASJ/Spl. Judge (PC Act) CBI-03
Rouse Avenue Courts Complex,
New Delhi / 29.04.2019

At 12.00 noon.

Present: Sh. Praneet Sharma, Sr. PP and Sh. V. K. Dogra, PP CBI
with H-IO Inspector Sushil Kumar.
Accused Binod Kumar Giri is present on bail with Sh.
Ashwani Vaish, Advocate.
Sh. Ashish Dixit, Advocate for accused Asif Ibrahim
Dadarkar.

Exemption application has been filed on behalf of accused
Asif Ibrahim Dadarkar for today. I have considered the grounds raised
in the application and submissions made before me. In the interest of
justice, the accused Asif Ibrahim Dadarkar is hereby exempted from
personal appearance for today only through his counsel Sh. Ashish
Dixit, Advocate. The exemption application is accordingly disposed off.

Heard arguments on charge. It is vehemently argued on behalf of the accused that firstly there is no demand and secondly the letter of request sent to the Ministry of Home Affairs for recording the telephonic conversation of the accused, has not been placed on record by the CBI and for the last two years the CBI is taking time for the said purpose and on the last date of hearing it has been informed by the CBI that there is no such letter. It is argued that violation of the same tantamounts to serious invasion to privacy. Judgment in the case of *“PUCL vs. Union of India”* reported as *1997 (1) SCC 301* is relied upon. Investigating Officer / Sr. Officer, CBI be called for informing the court whether any such communication / letter of request was sent to the Ministry of Home Affairs.

Be listed for 2:00 PM for statement of IO / Sr. Officer.

(Dr. Kamini Lau)

ASJ/Spl. Judge (PC Act) CBI-03
Rouse Avenue Courts Complex,
New Delhi / 29.04.2019

At 2.00 PM

Present: Sh. Praneet Sharma, Sr. PP and Sh. V. K. Dogra, PP CBI
with Sh. K. Babu, SP, AC-III, CBI and H-IO Inspector
Sushil Kumar.

Accused Binod Kumar Giri is present on bail with Sh.
Ashwani Vaish, Advocate.

Sh. Ashish Dixit, Advocate for accused Asif Ibrahim
Dadarkar.

Statement of SP, AC-III, CBI has been recorded separately.

On request of the SP, AC-III, CBI, time is granted him to place on record the request letter / communication, if any, along with its date and dispatch number.

On request, the SP, AC-III, CBI is granted time to place on record the letter / communication if any, along with its date and dispatch number and case is listed for consideration of charge thereafter on **30.04.2019 at 2:00 PM** (*time is fixed on request of Ld. Sr. PP, CBI*).

(Dr. Kamini Lau)
ASJ/Spl. Judge (PC Act) CBI-03
Rouse Avenue Courts Complex,
New Delhi / 29.04.2019