

**IN THE COURT OF SHRI HASAN ANZAR,
SPECIAL JUDGE, PC ACT (CBI-03),
ROUSE AVENUE DISTRICT COURT, NEW DELHI**

*CBI Vs. Rakesh Kumar Jain @ R.K. Jain & Ors.
CC No. 327/2019
Date of Institution : 13.05.2016*

29.08.2024

Present : Ms. Rohini Anand, Ld. PP for the CBI.
A-1 Rakesh Kumar Jain @ R.K. Jain on bail.
A-2 Reema Jain and A-3 Mukesh Kumar Jain on bail –
Through VC.
Shri Deepak Bhadana, Ld. counsels for A-1 & A-2.
Shri Deepak Sharma, Ld. Counsel for A-3.

Witness Shri Manish Kumar Chawla is present. However, Ld. PP for the CBI submits that she is dropping this witness as document i.e. D-81 has been admitted on behalf of the accused persons and as such there is no need to examine the witness Shri Manish Kumar Chawla. It is also submitted that document qua credit card of Shreyansh Jain is not available on record. Separate statement of Ld. PP for the CBI with regard to dropping the witness Shri Manish Kumar Chawla is recorded.

In view of the statement of Ld. PP for the CBI, Shri Manish Kumar Chawla is dropped from the list of witnesses. Witness Shri Manish Kumar Chawla is discharged unexamined.

Summon sent to Shri Om Prakash Johri is received back with the report that he has expired on 24.11.2021. Copy of death certificate of Shri Om Prakash Johri is also attached with the report. CBI to verify the factum of death of Shri Om Prakash Johri and file the report on next date of hearing.

Summon sent to Shri C.S. Punit K. Abrol is received back

unserved with the report 'Incomplete Address' and summon sent to Shri Pradeep S. Bhagwat is also received back unserved with the report that he is not employed at the given premises/office. The prosecution is directed to furnish proper and complete addresses of the witnesses proposed to be summoned and a status report in this regard be filed on or before the next date of hearing.

Summon is stated to be served on Shri Manoj Gautam. However, it is not clear as to who had received the summon on 30.07.2024 on behalf of Shri Manoj Gautam. Accordingly, issue fresh summon to Shri Manoj Gautam, to be served, both at residential address as well as through General Manager, State Bank of India, Shastri Bhawan, New Delhi for the next date of hearing. Issue notice to the Manager, State Bank of India, Shastri Bhawan, New Delhi to file a reply as to who had received the summons on 30.07.2024 on behalf of Shri Manoj Gautam and when the factum of receipt of summon came into the knowledge of the bank manager and whether any intimation has been given to Shri Manoj Gautam in respect of the summon of this court. Serving Officer of CBI is also directed to file his explanation whether he had served the summons on Shri Manoj Gautam personally by identifying him. Reply in this regard be also forwarded through concerned SP, CBI.

As already observed vide order dated 27.08.2024 that efforts were made to serve the summon on the witness Shri Fateh Chand Bhansali. It is also reflected from the report of Serving Officer that the witness Shri Fateh Chand Bhansali did not provide his place of business to the concerned officer and also intimated that he shall be available on 22.08.2024 at his address. Thereafter, efforts were made to serve the summon on 22.08.2024, but witness Shri Fateh Chand Bhansali was not

found available and the family members of the witness had refused to accept the summon. Thereafter, contact was once again made with the witness as his family members had refused to accept the summon and threatened the Serving Officer. It appears that witness Shri Fateh Chand Bhansali is avoiding the service of summon and accordingly, issue bailable warrants against him in the sum of Rs.5,000/-, to be served through IO/HIO/concerned SP returnable for next date.

Put up on **23.09.2024 and 24.09.2024** for P.E.

The following witnesses shall be examined on the scheduled dates and the summons be issued accordingly.

Sl. No.	Date Fixed	Witnesses to be examined
1.	23.09.2024	Shri Fateh Chand Bhansali (LW-26), Shri K.C. Pandey (LW-50) and Ms. Sarita Jain (LW-82).
2.	24.09.2024	Shri Manoj Gautam (LW-3), Shri Devender Kumar (LW-115) and Shri Pradeep Sharma (LW-125).

Issue notice to IO/HIO to remain present on the dates fixed as it is submitted by the Ld. PP for the CBI that the documents are voluminous in nature and their relevance with regard to the witnesses and on other aspects could be clarified by IO/HIO.

Copy of this Order be given *Dasti* to the Prosecution.

(HASAN ANZAR)
Special Judge (PC Act) CBI-03,
RADC/New Delhi/29.08.2024