

CNR No. DLCT11-001429-2019

CBI No. 354/2019

CBI Vs. Rakesh Tiwari & Ors.

RC No.ACI-2018-A-0014, CBI AC-I New Delhi

U/s 7 of & 8 of PC Act and 120-B IPC

13.10.2023

Present : Ms.Shweta Dhingra, Ld. Public Prosecutor for CBI.

A-1 Rakesh Tiwari and A-4 Rabindra Padhan are absent.

A-3 Rohit Srivastava on bail with Ld. Counsel
Shri Amit Tiwari, Advocate.

Sh. Ajit K. Singh and Sh.Deepak Bhadana, Ld.
Counsel for A-1.

Sh. Harsh K. Sharma, Ms. Vaibhavi Sharma
and Sh. Rishab Sharma, Ld. Counsel for A-4.

I.O Kailash Sahu in person.

An application seeking exemption from personal appearance is moved on behalf of A-1 Rakesh Tiwari through counsel on the ground that A-1 is suffering from throat infection and fever and hence, is unable to appear today. Heard. Keeping in view the submissions made in application, **A-1 Rakesh Tiwari is exempted from personal appearance only for today.**

Another application seeking exemption from personal appearance is moved on behalf of A-4 Rabindra Pradhan through counsel on the ground that A-4 has been assigned Election Duty in Chhatisgarh and hence, he is unable to appear today. Heard. Keeping in view the submissions made in application, **A-4 Rabindra Pradhan is exempted from personal appearance only for today.**

Rebuttal arguments are advanced by CBI qua the role of A-3 and A-4. I.O has clarified with respect to the CDRs filed in the present case qua mobile numbers of Neeraj Raja Kochhar and accused persons. It is stated by him that the CDR of Mobile Phone No. 9049991001 is in parts and one part denotes the details with respect to the SMS and other part denotes calls and location report.

The clarification/arguments are also advanced on behalf of A-3 and A-4 on the rebuttal arguments. At this stage, it is stated on behalf A-3 that they have already addressed the arguments that the present case is the off-shot of case bearing RC-7(A)/2017/AC-III/CBI/New Delhi in which A-3 was the I.O and Neeraj Raja Kochhar was one of the accused. The status of the said case is closely connected to the investigation of the present case and till date, it is not clear from contents of the chargesheet or the documents as to the status of the said FIR.

Heard and considered.

The present FIR is the offshot of case RC-7(A)/2017/AC-III/CBI/New Delhi. The case diary of the said case has been referred in the present matter. Therefore, the status of the investigation in the said FIR is required to be looked into before passing the order on charge in the present case. **Accordingly, CBI is directed to furnish status report of the investigation giving details of the investigation and status of the present stage in case RC-7(A)/2017/AC-III/CBI/New Delhi, on the next date of hearing.**

Be listed for further arguments, if any/ filing of status report as stated above on **06th November, 2023.**

(GAGANDEEP SINGH)
Special Judge, PC Act, CBI-04
Rouse Avenue Courts, New Delhi