

(THROUGH VIDEO CONFERENCING FROM RESIDENCE)

CC No. 358/2019

CBI Vs. Shambhu Prasad Singh & Ors.

RC No. AC-I/2014/A0008/CBI/AC-I/New Delhi

**u/S. 120B r/w 420/471 r/w 467 IPC & u/S. 13(2) r/w 13(1)(d) of
PC Act, 1989**

The present matter has been taken up via CISCO Webex platform / video conferencing hosted by Sh. Narender Kumar, Reader of this Court in terms of orders of Hon'ble High Court bearing No. R-235/RG/DHC/2020 dtd. 16.05.2020, 16/DHC/2020 dtd. 13.06.2020, 22/DHC/2020 dtd. 29.06.2020, 24/DHC/2020 dtd. 13.07.2020, 26/DHC/2020 dtd. 30.07.2020, 322/RG/DHC/2020 dated 15.08.2020, 417/RG/DHC/2020 dated 27.08.2020, 10559-10644/Power Gaz/RADC/2020 dated 28.08.2020 and Power Gaz/RADC/2020/E-15009-15097 dated 26.09.2020 in the presence (on screen) of Sh. K. K. Sahu, Ld. PP (substitute) for CBI on behalf of Sh. V. K. Pathak, Ld. regular PP for CBI (who is on leave today) along with HIO Sh. Ravish Jha and Sh. Avnish Kumar, Pairvi Officer for CBI and Sh. Syed Arham Masud along with Sh Vikhyat Oberoi, Ld. Counsel(s) for (A-1) and (A-4), Sh. Ravi Ranjan, Ld. Counsel for (A-2) and (A-5), Ms. Sonal Sarada, Ld. Counsel for (A-3), Sh. Ravinder Tyagi, Ld. Counsel for (A-6), Sh. Sunil Saha, Ld. Counsel for (A-7) and Sh. Gaurav Pathak, Ld. Counsel for (A-8).

01.12.2020 (At 11:30 AM)

Present : Sh. K. K. Sahu, Ld. PP (substitute) for CBI on behalf of Sh. V. K. Pathak, Ld. regular PP for CBI (who is on leave today) along with HIO Sh. Ravish Jha and Sh. Avnish Kumar, Pairvi Officer for CBI.

Sh. Syed Arham Masud along with Sh. Vikhyat Oberoi,
Ld. Counsel(s) for (A-1) and (A-4).

Sh. Ravi Ranjan, Ld. Counsel for (A-2) and (A-5).

Ms. Sonal Sarada, Ld. Counsel for (A-3).

Sh. Ravinder Tyagi, Ld. Counsel for (A-6).

Sh. Sunil Saha, Ld. Counsel for (A-7).

Sh. Gaurav Pathak, Ld. Counsel for (A-8).

Accused Shambhu Prasad Singh (A-1) is absent. He also represents M/s. Dynamic Shells India Pvt. Ltd. (A-4).

Accused Shyam Sunder Bhattar (A-2) for himself and for M/s. Rockside Impex Pvt. Ltd. (A-5), Sh. N.P. Singh, AR for M/s. Sai Baba Builders & Consultants Pvt. Ltd. (A-3), Rudra Narayan Shukla (A-6), Vinod Gupta (A-7) and Manish Rai Mathur (A-8) are present on bail.

The matter was proceeding at the stage of pronouncement of orders on the point of charge(s).

On oral request of Ld. Counsel(s) for accused Shambhu Prasad Singh (A-1), he is exempted from personal appearance for today only.

Vide separate detailed order of even date announced in the open court today **(through video conferencing)**, the application of accused no. 2 Shyam Sunder Bhattar, **(who also represents the accused no. 5 M/s. Rockside Impex Pvt. Ltd.)**

for discharge u/S. 227 r/w 239 CrPC 1973 has been dismissed.

Further vide the same detailed order, the application on behalf of the accused A-6 R. N. Shukla u/S. 197 CrPC and Section 19 of the PC Act has also been dismissed.

Further vide the same detailed order, another application u/S. 239 CrPC filed by accused Vinod Gupta (A-7) seeking discharge from the present case also stand dismissed.

Further vide the same detailed order, yet another application u/S. 239 CrPC on behalf of the accused Manish Rai Mathur (A-8) for seeking discharge also stands dismissed.

Further vide the same detailed order, the accused persons Shambhu Prasad Singh (A-1), Shyam Sundar Bhattar (A-2), M/s. Sai Baba Builders & Consultants Pvt. Ltd. (A-3), M/s. Dynamic Shells India Pvt. Ltd. (A-4), M/s. Rockside Impex Pvt. Ltd. (A-5) and public servants Rudra Narayan Shukla (A-6), Vinod Gupta (A-7) and Manish Rai Mathur (A-8) all are liable to be charged u/S. 120-B IPC r/w 420 IPC, 471 IPC r/w. 467 IPC r/w 13(1)(d) r/w 13(2) of the PC Act, 1988.

Further the accused persons Shambhu Prasad Singh (A-1), Shyam Sundar Bhattar (A-2), M/s. Sai Baba Builders & Consultants Pvt. Ltd. (A-3), M/s. Dynamic Shells India Pvt. Ltd. (A-4), M/s. Rockside Impex Pvt. Ltd. (A-5) all are liable to be charged substantively u/S. 420 IPC, 471 r/w. 467 IPC.

Whereas the public servants Rudra Narayan Shukla (A-6), Vinod Gupta (A-7) and Manish Rai Mathur (A-8) all are also

liable to be charged substantively u/S. 13(1)(d) r/w. 13(2) of PC Act 1988.

Let formal charge(s) be framed against the accused persons Shambhu Prasad Singh (A-1), Shyam Sundar Bhattar (A-2), M/s. Sai Baba Builders & Consultants Pvt. Ltd. (A-3), M/s. Dynamic Shells India Pvt. Ltd. (A-4), M/s. Rockside Impex Pvt. Ltd. (A-5) and public servants Rudra Narayan Shukla (A-6), Vinod Gupta (A-7) and Manish Rai Mathur (A-8) accordingly on **18.12.2020**, which is the date already listed for physical hearing.

All the accused persons are directed to physically present on the next date of hearing.

This signed order sheet be retained on the record to be put on the judicial file as and when the normal court working stand resumed.

The present order has been dictated to Sh. Amit Makhija, Sr. PA attached with the undersigned.

(Sanjeev Aggarwal)
Special Judge (PC Act)(CBI)-02
Rouse Avenue District Court
New Delhi/01.12.2020