

CNR No. DLCT11-001463-2019
CBI No.371/2019
CBI Vs. DR. LAXMI CHAND GUPTA & ANR.

22.08.2022

Present : Ms. Shweta Dhingra Ld. PP for CBI.

A1 Dr. L. C. Gupta on bail with Sh. Swapnil Aeron,
Advocate.

A2 Manju Gupta is absent.

Ld. Counsel for accused has filed an application seeking exemption from personal appearance of accused for today only. It is submitted by the Ld. Counsel that the identity of the accused is not disputed, if any witness examined in his absence. Heard. Exemption of A2 is allowed only for today.

MHC(M) / HC Annu Kumari with case property.

Today the matter is fixed for Prosecution Evidence as well as for filing of reply and arguments on the applications of accused persons.

PW21 Ram Kanwar and PW22 Chhatarpati Gautam are examined. Pass over is sought by the Ld. Counsel for accused persons to cross examine PW21 and PW22 on the ground that the main counsel Sh. Shailendra Babbar is held before Hon'ble Supreme Court of India and will be available at 12.30 PM. The examination of chief of PW21 and PW22 have been concluded at 10.25 AM and 10.40 AM respectively. Witnesses can not be harassed just to keep waiting for the Ld. Counsel for accused persons and otherwise also the date of today was given one month before and Ld. Counsel for accused should have adjusted his professional diary accordingly. PW21 and PW22 are discharged.

LW113 Rakesh Kumar is present but discharged unexamined as record shows that he is the witness of repeated facts and PW17 Subodh Kumar has already deposed on this aspect. Name of LW113 Rakesh Kumar is dropped from the list of the witness by the order of the court.

Replies filed by CBI to the two applications of accused persons. Copy supplied.

Arguments heard on both the applications.

The first application of accused persons is seeking return of unrelieved documents. The prosecution has "No Objection" for releasing of unrelieved documents to the accused persons.

In view of the same, let the unrelieved documents as mentioned in the application dated 29.07.2022 be released to the applicant /accused persons by the CBI on acknowledgement. Application stands disposed off.

Second application of accused persons under Section 451 Cr. P. C. is seeking necessary directions for disposal of cars owned by the accused persons, which were attached under Section 3 of the Criminal Law (amendment) Ordinance 1944. In the reply filed by the CBI, it is stated that the vehicles have been attached by the court and being case property can not be released at this stage. As per the application, the vehicles were bought in 2010, 2011 and 2013 and their market value shall depreciate by every day and otherwise also shall not be usable in Delhi because of the restrictions of not plying the petrol vehicles after the age of 15 years and diesel vehicles after the age of 10 years. The accused is directed to file the tentative value of three cars separately on or before next date of hearing.

Put for consideration of this application and for PE on
07.09.2022.

Let LW39 Sh. Romil Jaggi, LW117 Dr. Sadhna Sood
and LW120 Sh. Vikram Pagaria be summoned for next date of
hearing.

(AMIT KUMAR)
Special Judge, PC Act, CBI-04
Rouse Avenue Courts, New Delhi
22.08.2022

At 12.20 PM.

**File taken up again on oral request of Ld. Defence
counsel.**

Present: Ms. Shweta Dhingra, Ld. PP for CBI.
Sh. Shailender Babbar, Ld. Counsel for accused
persons.

It is stated by Ld. Counsel for accused that he was held
up before Hon'ble Supreme Court and could not appear when the
witnesses were examined and requests that the witnesses are
relevant and be summoned under Section 311 Cr. P. C. for cross
examination on his oral request.

Heard. In the interest of justice, let PW21 and PW22
be summoned for cross examination for the next date of hearing.

Put up on date and purpose already fixed i.e. on
07.09.2022.

(AMIT KUMAR)
Special Judge, PC Act, CBI-04
Rouse Avenue Courts, New Delhi
22.08.2022