

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

CBI Vs. Rakesh Kumar Mishra @ Laddu Baba & Ors.

CC No. 382/2019

Date of Institution : 31.08.2009

16.10.2024

Present : Ms. Rohini Anand, Ld. PP for the CBI alongwith Malkhana In-charge SI Jagdish Chand, Bank Security & Fraud Branch alongwith case properties.

Ct. Ranjay Kumar Sharma from Bank Security & Fraud Branch.

A-1 Rakesh Kumar Mishra @ Laddu Baba produced from District Jail Basti, UP – Through VC and who later on sought the leave of the court as he is stated to be produced physicall in some other court.

Jail Warden Shri Parveen Yadav (Mobile No. 8808846623) – Through VC.

A-7, A-8, A-9 and A-13 on bail.

A-3 and A-10 on bail – Through VC.

A-2, A-4, A-5, A-6, A-11, A-12, A-16 and A-17 are absent.

Proceedings against A-14 and A-15 stood abated vide orders dated 25.07.2017 and 09.12.2021.

Shri S.K. Sharma, Ld. Counsel for A-1, A-5, A-6, A-7, A-11, A-13 and A-17.

Shri S.P.M. Tripathi, Shri Rahul Poonia and Shri Deepak Sharma, Ld. Counsels for A-2, A-4 and A-10.

Shri S. Prasad, Ld. Counsel for A-3 and A-8 – Through VC.

Shri Shambhu Kumar, Ld. Counsel for A-12 and A-16.

1. Separate applications seeking exemption from personal appearance have been moved on behalf of A-2, A-4, A-5, A-6, A-12, A-16 and A-17. For the grounds mentioned in the applications, the above-said accused persons are exempted from personal appearance for today only through their Counsel.

2. Bailable warrant issued against A-11 Manoj Kumar Shukla is received back un-executed.

3. A-11 Manoj Kumar Shukla neither appeared on 15.10.2024 and even today he is absent. Bailable Warrant issued against him received back un-executed as he was not found available at

the given address. It appears that A-11 had attempted to delay the proceedings and even the counsel for A-11 is not aware about his whereabouts. It appears that A-11 is taking the proceedings in very casual manner. Considering the conduct of A-11, issue Bailable Warrants in the sum of Rs.500/- against him, returnable for **08.11.2024**.

4. The court acknowledges the promptness in which bailable warrants were attempted to be executed on A-11 Manoj Kumar Shukla on a very short notice of less than 24 hours.

5. It is submitted by Ld. Counsel for A-11 that documents do not relate to A-11 and since he is representing other accused persons and cross-examining for other accused persons therefore for the other accused persons he representing and cross-examining the witnesses including A-11.

6. PW99 Shri Vijaya Shankar is cross-examined by Ld. Counsels for A-2, A-4, A-10, A-1, A-5, A-6, A-7, A-11, A-13 and A-17 and cross-examination of PW99 on behalf of A-3 and A-8 is deferred for the reasons mentioned in the testimony of PW99. Issue fresh summon to PW99 for the next date of hearing. Ahlmad is directed to handover the summon to PW99.

7. PW101 Shri Kaushal Kishore (Mobile No. 7897030188) is partly examined-in-chief and further examination of the witness is deferred on the request of the witness as he is in personal difficulty.

8. It is pointed out that a miscellaneous application dated 28.04.2024 is pending for disposal. Issue notice to HIO Rakesh Kumar as to why he has filed the application without being forwarded by the Ld. PP for the CBI.

9. Put up on **20.11.2024, 21.11.2024 and 27.11.2024** for PE.
10. Jail Warden is apprised about the next dates of hearings.
11. The following witnesses shall be examined on the following dates and the summons be issued accordingly.

Sl. No.	Date Fixed	Witnesses to be examined
1.	20.11.2024	Shri Raj Kamal Seth (LW57) and Shri Suresh Chand Aggarwal (LW66).
2.	21.11.2024	PW-101 Shri Kaushal Kishore and Shri Krishan Kumar Gabha (LW85).
3.	27.11.2024	PW-99 Shri Vijaya Shankar.

12. Issue production warrants of A-1 Rakesh Kumar Mishra @ Laddu Baba in the court on 20.11.2024, 21.11.2024 and 27.11.2024. In case of any difficulty, A-1 may be produced virtually. It be mentioned in the production warrant that A-1 is in on bail in this case.

(HASAN ANZAR)
Special Judge (PC Act) CBI-03,
RADC/New Delhi/16.10.2024