

**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

27.11.2024

Present : Ms. Rohini Anand and Shri M.S. Mann, Ld. PPs for CBI alongwith HIO/Inspector Shri Shiv Kumar Singh and Sh. Anoop Divedi from System Division and MHC(M) ASI Kuldeep alongwith case properties.
A-9, A-11, A-13 on bail.
A-2, A-3, A-8 and A-10 on bail – Through VC.
A-1, A-4, A-5, A-6, A-7, 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 respectively.
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 Deepak Sharma, Ld. Counsel for A-2, A-4 and A-10.
Shri S. Prasad, Ld. Counsel for A-3 and A-8 – Through VC.
Ms. Pulak Gupta, proxy counsel for Shri Umakant, Ld. Counsel for A-9.
Sh. Shambhu Kumar & Sh. Babloo, Ld. Counsels for A-12 & A-16.

Separate applications seeking exemption from personal appearance have been moved on behalf of A-1, A-4, A-5, A-6, A-7, 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 counsels.

PW99 Shri Vijaya Shankar and another witness Shri Suresh Chand Aggarwal are present. Initially Ld. Counsel for A-3 and A-8 prayed for an adjournment on the ground of ill health, subsequently, a request for pass over is made till 11:30 AM.

Put up at 11.30 AM.

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27.11.2024 (At 11.30 AM)

Present : As above (Except Shri S. Prasad, Ld. Counsel for A-3 and A-8 who appeared physically).

PW-103 Shri Suresh Chand Aggarwal examined, cross-examined and discharged.

PW99 Shri Vijaya Shankar is cross-examined is partly cross-examined and further cross-examination of the witness is deferred as it is lunch time.

Put up in the post lunch session for further cross-examination of PW99.

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27.11.2024 (At 02.00 PM)

Present : As above.

PW-99 Shri Vijaya Shankar is cross-examined and discharged.

Summon issued to witness Shri Raj Kamal Seth for 20.11.2024 received back with the report that he has expired on 17.06.2021. Copy of the death certificate of Shri Raj Kamal Seth is also filed. It is submitted by the Ld. PP for the CBI that in view of the death of the witness Shri Raj Kamal Seth, he may be dropped from the list of witnesses. In view of the submission of the Ld. PP for the CBI, witness Shri Raj Kamal Seth is dropped from the list of witnesses.

PW-101 Shri Kaushal Kishore was served through his father for 16.11.2024, but he has not appeared. It is relevant to

mention that PW-101 Shri Kaushal Kishore had appeared on 16.10.2024 and on his request, his examination in chief was deferred. In these circumstances, issue bailable warrant against PW-101 Shri Kaushal Kishore in the sum of Rs.500/- and notice under section 389 of Bharatiya Nagarik Suraksha Sanhita, 2023 {Corresponding to Section 350 Cr.P.C.}, to be executed through the concerned SP, returnable for **14.01.2025**.

Put up on **14.01.2025, 15.01.2025 and 16.01.2025** 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. | 14.01.2025 | Shri Navendhu Shekhar (LW-56), Shri Ram Prakash Pandey (LW-59), Shri Ravi Jaiswal (LW-106) and Shri Kaushal Kishore. |
| 2. | 15.01.2025 | Shri Varun Gulati (LW67), Shri Nand Lal Sharma (LW72) and PW4 Shri Yudhishter Pathak. |
| 3. | 16.01.2025 | Shri Vinod Sharma (LW-14) and Shri Vikash Vohra (LW70). |

Issue notice to In-charge, Malkhana to depute an official to remain present alongwith case properties on the next dates of hearings.

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