

**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

16.01.2025

Present : Shri M.S. Mann, Ld. PP alongwith HIO/Inspector Shri Shiv Kumar Sharma for the CBI.
A-1 Rakesh Kumar Mishra @ Laddu Baba is produced from District Jail, Basti, UP – Through VC.
Shri Parveen Yadav, Jail Warden, District Jail, Basti, UP (Mob. No. 8808846623) Email ID jailbasti@gmail.com) - Through VC.
A-7, A-8, A-9, A-11, A-16 and A-17 on bail.
A-3, A-4, A-10 and A-12 on bail – Through VC.
A-2, A-5, A-6 and A-13 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 Deepak Sharma and Shri Rahul Poonia, associate counsels for Shri S.P.M. Tripathi, Ld. Counsels for A-2, A-4 and A-10.
Shri S. Prasad, Ld. Counsel for A-3 and A-8 – Through VC.
Ms. Sonikia Kanojiya, proxy counsel for Shri Umakant Kataria, Ld. LAC for A-9.
Shri Shambhu Kumar, Ld. Counsels for A-12 & A-16.

Separate applications seeking exemption from personal appearance have been moved on behalf of A-2, A-5, A-6 and A-13 and it is submitted that the afore-mentioned accused persons shall not dispute their respective identities, if the evidence is recorded in their absence as duly instructed counsels are participating in the trial. For the grounds mentioned in the applications and also in view of the submissions that the identities of the accused persons are not disputed, the above-said accused persons are exempted from personal appearance for today through their

counsels.

PW-107 Shri Vinod Sharma is examined-in-chief and cross-examination of PW-107 on behalf of A-2, A-4 and A-10, A-3 & A-8 is deferred as it is stated by the afore-said accused persons that their counsels are on their way.

(HASAN ANZAR)

Special Judge (PC Act) CBI-03,
RADC/New Delhi/16.01.2025

16.01.2025 (At 12.10 PM)

Present : As above.

A-2, A-4 and A-10, A-3 & A-8 submit that their counsels are still on their way.

(HASAN ANZAR)

Special Judge (PC Act) CBI-03,
RADC/New Delhi/16.01.2025

16.01.2025 (At 12.30 PM)

Present : As above.

Again similar submission is made by A-2, A-4 and A-10, A-3 & A-8.

(HASAN ANZAR)

Special Judge (PC Act) CBI-03,
RADC/New Delhi/16.01.2025

16.01.2025 (At 12.45 PM)

Present : As above (except Shri S.P.M. Tripathi, Ld. Counsel for A-2, A-4 and A-10 who has joined the proceedings physically at 12.45 PM).

PW-107 Shri Vinod Sharma is cross-examined by Ld. Counsel for A-2, A-4 and A-10 and cross-examination of PW-107 on behalf of A-3 and A-8 is deferred as it is lunch time and it is stated by A-3 and A-8 that their counsel Shri S. Prasad would appear in the post lunch session.

Put up in post lunch session for cross-examination of PW-107 on behalf of A-3 and A-8.

(HASAN ANZAR)

Special Judge (PC Act) CBI-03,
RADC/New Delhi/16.01.2025

16.01.2025 (At 02.00 PM)

Present : As above (except Shri S. Prasad, Ld. Counsel for A-3 and A-8 who has joined the proceedings physically at 02.00 PM).

PW-107 Shri Vinod Sharma is cross-examined by Ld. Counsel for A-3 and A-8 and the witness is discharged.

Summon issued to Shri Vikash Vohra (LW70) is received back unserved with the report that he has left the given premises and his present whereabouts are not known. CBI is directed to inform the court with respect to the fresh address of Shri Vikash Vohra so that he can be examined and a status report in this regard be filed on or before 21.02.2025.

Witness namely Shri Varun Gulati (LW67) was served for 15.01.2025, but he did not appear on the said day. In these circumstances, issue bailable warrant against Shri Varun Gulati (LW67) 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 the next date of hearing.

Case is also listed for consideration of an application under section 457 Cr.P.C. seeking permission to return un-relied upon documents, filed on behalf of the CBI. It is also noted that list of the unrelieved upon documents was already supplied to the accused persons.

Perusal of the record also reveals that an application under section 311 Cr.P.C. for recalling PW-95 Shri Pardeep Kumar Pal, filed on behalf of the CBI, is also pending adjudication.

Put up on **01.02.2025** for consideration on both the applications.

Case be also listed on **20.02.2025 and 21.02.2025** 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.	20.02.2025	PW-4 Shri Yudhister Pathak, Shri Vikash Vohra (LW70).
2.	21.02.2025	PW-4 Shri Yudhister Pathak, Shri Ravi Jaiswal (LW-106) and Shri Varun Gulati (LW67).

Issue notice to the In-charge of Malkhana and the System Division to depute an official who should be present alongwith the case properties such as laptop, write blocker and speakers to play the audio recordings in the Court on the scheduled dates.

An application for issuance of production warrant has been filed on behalf of A-1 Rakesh Kumar Mishra @ Laddu Baba *inter alia* intimating that he is is confined at District Jail Basti in FIR No. 1414 PS Kotwali. Issue production warrant against A-1 Rakesh Kumar Mishra @ Laddu Baba. Copy of the order be sent through e-mail as well as through CBI to the Supdt., District Jail Basti, UP to produce A-1 Rakesh Kumar Mishra @ Laddu Baba either physically or through Video Conferencing (VC) before this court on 01.02.2025, 20.02.2025 and 21.02.2025. The Video Conferencing Link is <https://districtcourtdelhi.webex.com/join/readercbi03radc>, Meeting Number 1768612372, video address readercbi03radc@districtcourt-delhi.webex.com and court's mail ID is readercbi03radc@gmail.com.

(HASAN ANZAR)
Special Judge (PC Act) CBI-03,
RADC/New Delhi/16.01.2025