

CNR No. DLCT11-001150-2019
CC No. 295/2019 (Old CC No. 01/17)
RC 221 2014 E 0011
Branch: CBI/EO-III/New Delhi
CBI Vs. Manoj Kumar Jayaswal & Ors.
(M/s Jayaswal Neco Industries Ltd.)
U/s 120-B r/w Section 420 IPC & Substantive offence thereof.

05.02.2024

Present: Ld. DLA Sh. A.P. Singh, Ld. Senior PPs Sh. N.P. Srivastava and Sh. V.K. Pathak for CBI alongwith IO Sh. S.C. Bhagwat.

A-1 Sh. Manoj Kumar Jayaswal (through VC) with **Ld. Counsels Sh. Nagesh Behl and Sh. Vishal Gaurav.**

A-2 Sh. Ramesh Kumar Jayaswal is absent.

Sh. Suresh Dakhane, AR for A-3 M/s Jayaswal Neco Industries Ltd. (through VC).

Sh. Faraz Maqbool, Sh. Chandan Kumar, Ms. Vismita Diwan and Sh. Rahul Pandey (through VC), Ld. Counsels for A-2 and A-3.

An application seeking exemption from personal appearance for today only i.e. 05.02.2024 moved on behalf of applicant/accused no. 2 Sh. Ramesh Kumar Jayaswal.

For the reasons mentioned in the application, same is allowed for today only.

Today the matter is fixed for PE.

At this stage, Sh. A.P. Singh, Ld. DLA for CBI submitted that D-308, Page 721-756, PDF 9039 was admitted by Accused Nos. 2 and 3 u/s 294 Cr.P.C. and was exhibited as Ex. P-15/A-2 and A-3. However, while recording evidence of PW-6 Sh. Nitin Kumar Pandurang Wath, this exhibit was mentioned as Ex. P-179/PW-6

(Colly). It is further pointed out that D-235 was exhibited as Ex. P-15/A-2 and A-3 while recording evidence of PW-13 Sh. Damrudhar Patel on 01.09.2023 and should have been referred as Ex. P-179/PW-6. Since D-308, Page 721-756 is admitted document, Ex. P-15/A-2 and A-3 is also mentioned thereon today. D-235 which was earlier exhibited as Ex. P-15/A-2 and A-3 is today exhibited as Ex. P-179/PW-6. The clerical mistake is corrected to which Ld. Counsels for the accused have no objection.

PW-13 Sh. Damrudhar Patel is cross-examined and discharged.

The other witness summoned for today i.e. PW-6 Sh. Nitin Kumar Pandurang is not present. He has sent a whatapp message showing his inability to appear today due to certain personal difficulties (medical emergency of his father).

Ld. DLA for CBI Sh. A.P. Singh submitted that the witnesses summoned for tomorrow i.e. PW-19 Sh. Sanjay Kumar Verma and PW-11 Sh. C.V. Subba Rao have shown their inability to appear tomorrow. PW-19 Sh. Sanjay Kumar Verma, through his letter dated 04.02.2024 (copy filed) has mentioned that he has a family function on 06.02.2024 and PW-11 Sh. C.V. Subba Rao, through a whatsapp message sent to the IO of the case has mentioned therein that he will not be able to come due to medical emergency.

At the request of Ld. DLA for CBI Sh. A.P. Singh, PW-5 Sh. T.P. Singh be summoned for tomorrow as no witness is coming tomorrow. Ld. Counsels for the accused have no objection to the same.

In these circumstances, let summons be issued to PW-5 Sh. T.P. Singh for recording his remaining cross-examination on 06.02.2024.

Put up on dates already fixed i.e. **06.02.2024, 07.02.2024, 11.03.2024, 12.03.2024** and **14.03.2024** for further PE.

(Arun Bhardwaj)
Special Judge, (PC Act) (CBI),
Coal Block Cases-01, RADC
New Delhi/05.02.2024.