

**CC No.CBI/ CBI 85/2019
CBI Vs. KULDEEP SOOD
RC 6 /1983**

27.01.2020

This Court is functioning with only one PA at present and this is a very heavy court.

Pr: Ms. Neha Goel, Ld. APP for CBI.
Accused in person
Sh. R.C. Chopra, Ld. Counsel for the accused Kuldeep Sood
IO Inspector Rakesh Kumar in person

Request for another date has been received from witness R. Rajagopalan on medical grounds.

IO Inspector Rakesh Kumar has moved an application for "report on summons- R. Rajagopalan for his appearance on 27.02.2020" informing the court about the present status of witness R. Rajagopalan. Copy supplied.

Application be put up on NDOH for consideration.

Ld. APP has submitted that she has written letters dated 30.08.2019, 13.09.2019 and 13.01.2020 for dropping PW16 T.K. Bagchi, PW25 Girdhari Lal Mehra, PW28 P. Joseph and PW113 Variyam Singh on ground of medical complication, old case and case being more than 30 years old.

Ld. APP further submitted that vide court diary dated 24.09.2019, 28.11.2019 and letter dated 13.01.2020 HIO Sh.Rakesh Kumar was directed to apprise the court about the role

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of PW100 Sh. Uday Singh Tolia, as he was discharged unexamined by the court, as his role was not clear from the charge-sheet and was also not mentioned in the calendar of evidence.

Ld. APP further submitted that vide court diary dated 28.11.2019 and letter dated 13.01.2020 HIO of the case Sh.Rakesh Kumar was directed to apprise the court regarding status of two shipping registers (D-185 and D-186), which were supposed to be put to PW Sarwan Singh, who was examined in chief and cross examined but was not discharged by the court on the prayer of the prosecution.

Ld.APP has further submitted that vide court diary dated 02.08.2019, 09.08.2019, 19.08.2019, 29.08.2019, 07.09.2019/ 09.09.2019, 24.09.2019 and letter dated 25.10.2019 & 13.01.2020, HIO was repeatedly directed to trace out fresh whereabouts of witnesses namely PW95 Ms. Maria, PW96, Pradeep Sood, PW97 Margaret Graff, PW98 Shanny Kala, PW99 Norris Dahl and PW117, whose addresses have been mentioned in the charge-sheet as that of residing in the United States. HIO of the case has filed an old report on 28.11.2019 mentioning that PW99 Norris Dahl and PW98 Shanny Kala are untraceable.

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Ld. APP has further submitted that she has neither received any written response regarding these letters nor the HIO has moved any application for examination of these witnesses or has filed fresh addresses of the United States based witnesses.

Keeping in view of the submission of Ld. APP and the fact that the present case is more than 33 years old & CBI has failed to produce the above said witnesses despite various opportunities, the above said witnesses are dropped and their name be deleted from the list of witnesses.

Put up for remaining PE and for consideration of the above said application on 04.02.2020 at 2 PM.

(Satvir Singh Lamba)
ACMM-2-cum-ACJ
Rouse Avenue District Court
New Delhi/27.01.2020