

IN THE COURT OF SH. CHANDRA SHEKHAR, LD.SPECIAL
JUDGE, CBI-19 (PC ACT), ROUSE AVENUE DISTRICT
COURTS, NEW DELHI

FIR NO: RC-DAI-2020-A-0018

U/s: Sec. 7 of PC Act

PS: CBI, ACB/NEW DELHI

CBI v. S. S. CHAHAL etc.

06.08.2020

Presence:

(Through CISCO WEBEX Meetings)

Ld. Counsel Sh. Rakesh Kumar for the applicant
Sunil Kumar Vats.

Ld. Public Prosecutor Sh. Amit Kumar for the CBI
with IO/Inspector Ravinder Kumar Bharti.

I have further partly heard the submissions of Ld.
Counsel Sh. Rakesh Kumar for the applicant Sunil Kumar
Vats and Ld. Public Prosecutor Sh. Amit Kumar for CBI on
the aforesaid application seeking release of Trap Money
amounting to Rs. Two Lakh by Video Conferencing
through CISCO WEBEX Meetings arranged by Sh. Raj
Kumar, Reader in this court in compliance of the orders of
Ld. District & Sessions Judge-cum-Special Judge (PC Act)
Ms. Sujata Kohli, Rouse Avenue District Courts, New
Delhi due to spreading of pandemic COVID-2019, special
measures taken by the Govt. to prevent it by ordering a
nationwide Lockdown and instructions issued by Ld.
District Judge to work from home, maintaining social
distancing.



[Handwritten signature]

The Ld. Public Prosecutor and IO/Inspector Ravinder Kumar Bharti for CBI seek some time to file reply to the application, supplying copy of the same to Ld. Counsel of the applicant and addressing submissions on the same.

Heard. The aforesaid request made on behalf of CBI is allowed and the hearing of the application is fixed at 02:15 p.m. today itself.



CHANDRA SHEKHAR

Special judge, CBI-19 (PC Act),
Rouse Avenue District Courts, New Delhi
06.08.2020

(At 02:15 p.m.)

Presence:

(Through CISCO WEBEX Meetings)

Ld. Counsel Sh. Rakesh Kumar for the applicant
Sunil Kumar Vats.

Ld. Public Prosecutor Sh. Amit Kumar for the CBI
with IO/Inspector Ravinder Kumar Bharti.

The IO has filed reply to the application of Sunil Kumar Vats along with a copy of circular of CBI dated 27.06.2017 in e-form regarding refund of trap money. A copy of said documents has also been supplied to Ld. Counsel for the applicant in e-form.

I have again partly heard the submissions of respective parties on the aforesaid application of Sunil Kumar Vats seeking refund of trap money to him.



However, it is observed that as per para 87 of case law titled as *Manjit Singh, Petitioner v. State, Respondent 2014 SCC Online Del. 4652: (2014) 214 DLT 646*, passed by the Hon'ble High Court of Delhi, a notice of the application is required to be sent to the accused persons also.

In the present case, it is stated in the reply of CBI that an amount of Rs. Two lakh was recovered on 17.06.2020 from the possession of accused Ct. Badri Prasad Yadav of PS Vijay Vihar; he had accepted the said amount on behalf of accused Surender Singh Chahal, who was the SHO of PS Vijay Vihar at the relevant time. Therefore, in view of the mandate of the afore-cited case, *issue notice of the application to both the aforesaid accused persons.*

The IO/Inspector Ravinder Kumar Bharti is directed to send a copy of aforesaid application of Sunil Kumar Vats, reply of CBI along with aforesaid circular of CBI and copy of this order in e-form to both the aforesaid accused persons i.e., Ct. Badri Prasad Yadav and S. S. Chahal through their respective e-mails and whatsapp.

The IO has stated that he is having the mobile numbers of the aforesaid accused persons, he will send the copies of the aforesaid documents to them on their whatsapp and e-mails in e-form and will comply the orders of the court immediately today itself.

In view of the aforesaid circumstances, *further hearing of the application is adjourned for 11.08.2020 at 02:00 p.m.* Both the accused persons are directed to file their respective replies, if any, to the aforesaid application



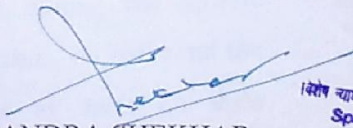
in e-form and submit the same with Reader of the Court and address their respective submissions on the aforesaid application either in person or through their respective Counsel at the aforesaid date and time fixed. If Reader receives copy of reply of the aforesaid accused person, he will send the same on the e-mail of the court and supply copy to the Ld. Counsel for the applicant and Ld. Public Prosecutor for CBI in e-form immediately.

Put up on 11.08.2020 at 02:00 p.m.

A copy of this order is being sent through Whats App to Sh. Raj Kumar, Reader of this court with a direction to get this order uploaded on the official website of Delhi District Courts at the earliest through Computer Branch, Rouse Avenue Courts Complex, New Delhi. He is also directed to send a Whats App copy of the order to the respective counsel of the parties at the earliest. A signed hard copy of the order shall be placed on record as soon as work is resumed from the Court premises of Rouse Avenue District Courts, New Delhi.

Dated: 06.08.2020




CHANDRA SHEKHAR
Special judge, CBI-19 (PC Act),
Rouse Avenue District Courts, New Delhi

श्री चन्द्र शेखर
Sh. Chandra Shekhar
विशेष न्यायाधीश, राष्ट्रीय न्यायालय (सी.बी.आई.)-19
Special Judge PC Act (CBI)-19
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Rouse Avenue Court Complex
नई दिल्ली
New Delhi

CC No. 13/2019

CBI v. Babu Lal Agarwal &
Ors.

U/s: 120-B IPC & Sec. 8 of
PC Act, 1988

06.08.2020

The file could not be taken on 30.03.2020, which was the due date for hearing of this case, due to spread of pandemic COVID-2019, Lockdown imposed by the Govt. of India and time to time adjournment of the cases enbloc by the Hon'ble High Court of Delhi and the office of Ld. District & Sessions Judge, Rouse Avenue District Courts, New Delhi, by issuing several circulars.

The file is taken up today for hearing in pursuance of the circular No. Power/Gaz./RADC/2020/E-7784-7871 dated 30.07.2020 issued from the office of Ld. District & Sessions Judge, Rouse Avenue District Courts, New Delhi by Video Conferencing through CISCO WEBEX Meetings arranged by Sh. Raj Kumar, Reader in this court.

Presence:

(Through CISCO Webex Meetings)

None for the CBI

Accused no. 1 Babul Lal Aggarwal is already exempted till conclusion of arguments on the point of charge vide order dated 15.12.2017.

Ld. Counsel Sh. Chirag Madan for accused no. 1.

Ld. Counsel Sh. Ajit Singh for accused no. 2 Bhagwan Singh.

None for accused no. 3 Syed Burhanuddin.

Accused no. 4 Anand Aggarwal is exempted through Ld. Counsel Chirag Madan vide order dated 21.05.2017 till conclusion of



arguments on the point of charge.

Ld. Counsel Sh. Chirag Madan for accused no. 4.

All the accused persons, except the accused persons who are permanently exempted as per previous orders, are directed to appear in person before the court through CISCO Webex Meetings App till further orders unless the court resumes work from the court premises or some other order is passed by the Hon'ble High Court of Delhi or office of the Ld. District & Sessions Judge, Rouse Avenue District Courts, New Delhi in this regard.

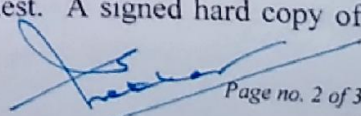
Today, in the interest of justice, no adverse order is passed against the accused persons who did not appear through aforesaid App in view the exceptional circumstances of spread of pandemic COVID-2019.

I have perused the ordersheet dated 19.02.2020 sent in e-form through e-mail by Reader of the court. As per record, the order dated 18.01.2020 passed by this court on the application of IO seeking voice samples of accused persons has been stayed by the Hon'ble High Court of Delhi vide order dated 23.01.2020.

The IO has not filed supplementary chargesheet. The hearing of arguments on the point of charge is not feasible today as none is present on behalf of CBI and accused no. 3; moreover, the judicial record has not been sent in e-form as it is reported by the Reader that the record could not be scanned. Therefore, *the case is adjourned for arguments on the point of charge on 26.10.2020.*

A copy of this order is being sent through Whats App to Sh. Raj Kumar, Reader of this court with a direction to get this order uploaded on the official website of Delhi District Courts at the earliest through Computer Branch, Rouse Avenue Courts Complex, New Delhi. He is also directed to send a Whats App copy of the order to the respective counsel of the parties at the earliest. A signed hard copy of





the order shall be placed on record as soon as work is resumed from the Court premises of Rouse Avenue District Courts, New Delhi.

CHANDRA SHEKHAR
Special Judge, CBI-19 (PC Act)
Rouse Avenue Courts, New Delhi
06.08.2020

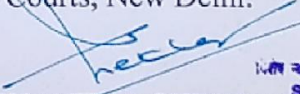
At this stage, Ld. PP for CBI has made a contact through CISCO Webex Meetings and has informed that IO has already filed the supplementary chargesheet in this case.

I have considered the submissions. *The Reader is directed to telephonically inform the Ld. Counsel for the accused persons who had appeared in this case through Video Conferencing about the fact stated by Ld. Public Prosecutor for CBI.* The copy of the supplementary chargesheet shall be supplied to the accused persons as per rules as and when the same is received in the court.

Put up for the date and purpose already fixed i.e., 26.10.2020.

A copy of this order is being sent through Whats App to Sh. Raj Kumar, Reader of this court with a direction to get this order uploaded on the official website of Delhi District Courts at the earliest through Computer Branch, Rouse Avenue Courts Complex, New Delhi. He is also directed to send a Whats App copy of the order to the respective counsel of the parties at the earliest. A signed hard copy of the order shall be placed on record as soon as work is resumed from the Court premises of Rouse Avenue District Courts, New Delhi.




श्री चन्द्र शेखर
Sh. Chandra Shekhar
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Special Judge (PC Act) (CBI)-19
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CHANDRA SHEKHAR
Special Judge, CBI-19 (PC Act)
Rouse Avenue Courts, New Delhi
06.08.2020