

CBI vs. D.S Sandhu
CC No. 63/2019 (Old No. 532158/16)

01.06.2020

Present:- Sh. Brijesh Kumar Singh, Ld. Senior P.P for CBI.
Sh. Y. Kahol, Ld. Counsel for the Accused No. 1 Sh. D.S. Sandhu and
Accused No. 5 Smt. Sudershan Kapoor (in attendance through VC) along
with Sh. Deepak Sharma, Advocate.

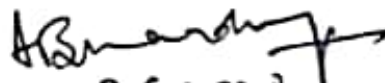
Sh. I.D. Ved Parkash, Ld. Counsel for Accused No. 12 Sh. Vikas
Srivastava along with Sh. Dhruv Sehrawat, Advocate.

Application filed by Sh. Y. Kahol, Ld. Counsel for Accused No. 1 Sh. D.S. Sandhu submitting that the medical condition of Accused no. 1 Sh. D. Sandhu is such that he cannot even appear before this court through video conferencing. He, however submitted that Accused No. 1 shall appear tomorrow through video conferencing and may seek permission to exit the meeting after attending the same for some time. Similarly, Sh. I.D. Ved Parkash, Ld. Counsel has submitted that Accused No. 12 Sh. Vikas Srivastava shall join the meeting through CISCO Webex App tomorrow.

The Ld. Registrar General of Hon'ble Delhi High Court vide letter dated 16.05.2020 has directed to hear cases fixed for final arguments through video conferencing using CISCO Webex App. Preference has to be given to cases which are more than 10 year old. The directions are to call for written arguments from the Ld. Counsels and hear them through video conferencing. These directions have been conveyed by the Ld. District & Sessions Judge vide her order dated 22.05.2020.

Since present case is also more than 10 year old case, this court has taken up the same for final arguments. There are 7 accused persons, which are represented by 4 Ld Counsels. Sh. Manoj Kumar Verma, Ld. Counsel represents Accused No. 6 Sh. Ashwani Dhingra and Accused No. 11 Sh. Dal Bahadur Singh and Sh. Gopal Tiwari, Ld. Counsel represents Accused No. 7 Sh. Amit Kumar and Accused No. 8 Sh. Rishi Raj Behl.

On the previous date, Sh. Manoj Kumar Verma had expressed difficulty for want of video conference facility at his end. However, he was given an opportunity to avail video conference facility available at Rouse Avenue District Court, which is also used by Sh. Brijesh Kumar Singh, Ld. Senior P.P for addressing the arguments. However, the Ld. Counsel has not appeared in video conference room of Rouse Avenue District Court for the purposes of final arguments.


01.06.2020

In the meanwhile, Sh. Gopal Tiwari, Ld. Counsel for Accused No. 7 Sh. Amit Kumar and Accused No. 8 Sh. Rishi Raj Behl has sent the following intimation to the Reader of this Court :-

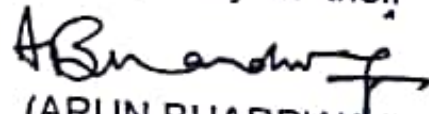
"Dear Rajkumar ji, hay I Gopal Tiwari Advocate counsel for accused no 7 & 8, Amit Kapoor & Rishi Raj behl. Sorry for late information, I am out of Delhi, at Jagdishpur in Bihar at hometown from 11 march. I don't have any facilities available for addressing final argument through video conferencing. This time I don't have file material of case. So it's also difficult to written argument due to proper network .So kindly request to the hon'ble judge sahib to fix a date of physical hearing, when court will open. Thank you Gopal Tiwari Advocate."

On the previous date, it was agreed by Sh. Brijesh Kumar Singh, Ld. Senior P.P. for CBI and Sh. Y. Kohal, Ld. Counsel for the Accused No. 1 Sh. D.S. Sandhu and Accused No. 5 Smt. Sudershan Kapoor and by Ld. Counsel Sh. I. D. Ved Parkash, Ld. Counsel for Accused No. 12 Sh. Vikas Srivastava that the Ld. Senior P.P may address arguments qua these three accused persons and they would be addressing defense arguments for the respective accused represented by them. It was also agreed that, so far as the other accused persons are concerned whose Ld. Counsels are not before the Court at the moment, the arguments qua them shall be addressed by Ld. Senior P.P for CBI in their presence only so that they do not suffer any prejudice in any manner whatsoever.

Resultantly, today, Ld. Senior P.P for CBI addressed arguments for one and a half hour. Now, the case is listed for further arguments tomorrow i.e. 02.06.2020 at 11:30 am again.

Let the copy of this order be sent by whatsapp to Sh. Mukesh Kumar Verma and Sh. Gopal Tiwari as well as the 4 accused persons represented by them, so that Sh. Mukesh Kumar Verma can avail video conferencing facility of Rouse Avenue District Court and for enabling the 2 accused persons represented by Sh. Gopal Tiwari (Sh.Amit Kapoor and Sh. Rishi raj Behal) to join the proceedings through CISCO Webex App., even if their Ld. Counsel is held up at such a place where there is no internet connectivity. Similarly, the Accused No. 6 Sh. Ashwani Dhingra and Accused No. 11 Sh. Dal Bahadur Singh which are represented by Sh. Mukesh Kumar Verma are also directed to login CISCO Webex App., so that they are present when arguments qua other accused are being addressed by Ld. Senior P.P for CBI.

It is emphatically reiterated that the arguments qua those accused, whose Ld. Counsels are not addressing arguments through video conferencing shall be heard by this court and shall be addressed by Ld. Senior P.P only in their presence so that they do not suffer prejudice of any kind.


(ARUN BHARDWAJ)
Special Judge (P.C. Act)(CBI-05)
Rouse Avenue District Court,
New Delhi/01.06.2020