

CC No. 288/2019 (Old CC Nos. 30/16 & 03/14)
RC No. AC2/2010/A0001
Branch: ACU-II/CBI/New Delhi
CBI Vs. Gautam Kumar Basak & Ors.
U/s. 120-B, Section 420 r/w Sec. 471 IPC &
Sec. 15, Sec 13(2) r/w13(1)(d) PC Act

31.07.2020

Matter taken up today in compliance of Office Order No. Power/Gaz./RADC/2020/E-6836-6919 Dated 14.07.2020 and also in continuation to orders No.819-903/DJ/RADC/2020 dated 16.05.2020, No. E1792-1876/DJ/RADC/2020 dated 22.05.2020, No. E-2574-2639/DJ/RADC/2020 dated 29.05.2020, No. E-3943-4029/DJ/RADC/2020 dated 13.06.2020, No. E-4121-4205/DJ/RADC/2020 dated 15.06.2020 and No. Power/Gaz./RADC/2020/E-5577-5661 Dated 29.06.2020, of Ld. District & Sessions Judge-Cum-Spl. Judge (PC ACT) (CBI) Rouse Avenue District Court, New Delhi.

The present matter is being taken up today through video conferencing as regular functioning of the Courts at District Courts has been suspended since 23.03.2020 vide office orders of Hon'ble High Court of Delhi bearing Nos. 373/Estt./E1/DHC dated 23.03.2020, No.159/RG/DHC/2020 dated 25.03.2020, No.R-77/RG/DHC/2020 dated 15.04.2020, No. R-159/RG/DHC/2020 dated 02.05.2020, No. R-235/RG/DHC/2020 dated 16.05.2020, R-305 /RG/DHC/2020 dated 21.05.2020, No.1347/DHC/2020 dated 29.05.2020, No.17/DHC/2020 dated 13.06.2020, No.22/DHC/2020 dated 29.06.2020, No. 24/DHC/2020 dated 13.07.2020 and No. 26 /DHC/2020 dated 30.07.2020.

The hearing of the present matter is being taken up via Cisco WebEx Platform in the presence (onscreen) of:

Present: Ld. DLA Sh. V.K. Sharma, Ld. Senior PP Sh. A.P. Singh and Advocate Ms. Tarannum Cheema for CBI along with IO Inspector Raja Chatterjee.

A-1 Goutam Kumar Basak and A-2 Soumen Chatterjee.

Ld. Counsel Sh. Ajit Singh for A-1 Goutam Kumar Basak and A-2 Soumen Chatterjee.

Though in the present matter Order on Charge was already passed vide order dated 24.02.2020, but formal charges could not be framed as in the

meantime physical functioning of the courts got closed.

Now, since the charges cannot be got physically signed from the accused persons, so today the charges, which are to be framed against the accused persons are being supplied to Ld. Defence Counsel online after digitally signing them by the undersigned. Ld. Counsel has however submitted that the accused persons wish to challenge the charges framed against them before Hon'ble Supreme Court. He however assured that in the meantime he will send an email on the official E-mail ID of the court that he has duly communicated the charges to the accused persons and that he will also send emails from the accused persons that they have received and understood the charges and that they do not plead guilty to the charges so framed and claim trial.

After resuming of the normal functioning of the Courts the charges shall be got signed physically from the accused persons.

Ld. DLA Sh. V.K. Sharma has also submitted an application u/s 294 Cr. PC along with list of documents seeking admission/denial of documents on the official E-mail ID of this court,. He submitted that the hard copy thereof will be placed in the judicial file as and when normal functioning of the courts is resumed.

E-copy of the application u/s 294 Cr.PC has been supplied to Ld. Counsel for the accused persons and he has sought some time to file reply to the application.

Heard. Considered. Allowed.

Accordingly, matter be now put up on 27.08.2020 for filing of reply to the application u/s 294 Cr. PC by Ld. Counsel for the accused persons.

APPLICATION DATED 24.02.2020 FILED ON BEHALF OF SH. GOUTAM KUMAR BASAK (ACCUSED NO. 1) SEEKING "NO OBJECTION CERTIFICATE" FOR RENEWAL OF HIS PASSPORT.

E-Reply to aforesaid application has been filed on behalf of prosecution and E-Copy thereof has also been supplied to Ld. Counsel for the accused persons.

It has been submitted by Ld. Counsel Sh. Ajit Singh that the

passport of applicant/accused G.K. Basak has already expired on 02/11/2019 and thus no objection may kindly be issued for renewal of his passport.

Ld. DLA Sh. V.K. Sharma for CBI stated that he has no objection if the passport of applicant/accused is renewed by concerned passport authority as per rules.

Considering the submissions made and keeping in view the overall facts and circumstances of the case, the application under consideration of applicant/accused G.K. Basak is allowed and this Court has no objection if the concerned passport authority renews, the passport of applicant/accused G.K. Basak, as per applicable rules.

The present application accordingly stands disposed of.

As prayed a digitally signed copy of the present order be also supplied to Ld. Counsel for accused G K Basak for presenting before the concerned passport authority.

A scanned signed copy of this order is being sent to Sh. Mukesh JJA, Computer Branch, RADDC via WhatsApp for uploading it on the official website of Delhi District Courts.

A copy of order is being retained, to be placed in the judicial file as and when normal functioning of the courts is resumed.

The present order has been dictated on phone to Steno Pawan Singhania.

**(Bharat Parashar)
Special Judge, (PC Act)
(CBI), Court No. 608
Rouse Avenue Court
New Delhi
31.07.2020**