

**IN THE COURT OF SH. AJAY GULATI  
SPECIAL JUDGE (PC ACT), CBI-12,  
ROUSE AVENUE DISTRICT COURTS, NEW DELHI.**

**CC No. 271/2019**

**CBI Vs. Sanjiv Kumar & Ors.**

**22.09.2020**

Present:- Sh. Harsh Mohan Singh, Ld. Sr. PP for CBI.

Sh. Kaushik Dey, Ld. Counsel for accused Ms. Abha Kumar and Ms. Kanak Lata.

Accused Sanjeev Kumar and Ms. Abha Kumar are present through video conference.

Proceedings against accused Dr. Maheshwar Kumar already stand abated.

Present proceedings have been taken up through video conference hosted by court Reader Sh. Virender Yadav.

Matter has been listed today for addressing further final arguments on behalf of A-1 Sanjiv Kumar.

After arguing at length, the matter had to be adjourned since accused Sanjiv Kumar referred to a judgment delivered by Ld. Special Court, CBI, Chandigarh in which the issue of giving bribe money by one of the witnesses here i.e. R.K. Sharma was also a fact in issue before the Ld. Special Judge, CBI Court, Chandigarh where RK Sharma deposed as an Approver. It is the contention of accused Sanjiv Kumar that the liberty to raise the argument of issue estoppel was granted by Hon'ble High Court of Delhi when this matter was raised before the Hon'ble High Court of Delhi in a revision petition preferred by accused Sanjiv Kumar. However, when accused Sanjiv Kumar referred to the relevant para of judgment of Ld. Special Judge, CBI Court, Chandigarh, the same was objected to by Ld. PP for the CBI on the ground that this judgment is not a part of the judicial record.

**CC No. 271/2019**  
**CBI Vs. Sanjiv Kumar & Ors.**

Having due regard to the contention raised by Ld. PP for the CBI, it needs a highlight that the only way that accused Sanjiv Kumar can effectively address the argument of issue estoppel, is by citing the relevant paras of the judgment delivered by Ld. Special Judge, CBI Court, Chandigarh where accused Sanjiv Kumar was also an accused and further, by referring to the testimony of PW R.K. Sharma, rendered in the case before Ld. Special Judge, CBI Court, Chandigarh. Since the testimony of R.K. Sharma before Ld. Special Judge, CBI Court, Chandigarh as also the judgment delivered by Ld. Special Judge, CBI Court, Chandigarh are judicial records, the same can be relied upon during the course of arguments by the accused. In any case, liberty to that effect is implied in the permission granted by the Hon'ble High Court of Delhi to raise the argument of issue estoppel before this Court at the stage of final arguments.

Put up for further arguments on behalf of defense on **5.10.2020, 6.10.2020, 7.10.2020, 8.10.2020** and **9.10.2020**. Slightly long adjournment has been given on the request of Ld. Counsel for accused Abha Sinha and Kanak Lata on the ground of personal difficulty.

A-1 is directed to supply a copy of the judgment relied upon by him to Ld. PP for CBI on his e-mail.

**AJAY**  
**GULATI**  
( **AJAY GULATI** )  
**Spl. Judge (PC Act), CBI-12**  
**RADCC/New Delhi/22.09.2020**

Digitally signed  
by AJAY GULATI  
Date: 2020.09.22  
14:21:21 +0530

**IN THE COURT OF SH. AJAY GULATI  
SPECIAL JUDGE (PC ACT), CBI-12,  
ROUSE AVENUE DISTRICT COURTS, NEW DELHI.**

**CC No. 278/19**

**CBI Vs. A. K. Rajput & Ors.**

**22.09.2020**

Present: Dr. Jyotsna Sharma, Ld. PP for CBI.  
Shri Puneet Ahluwalia, Ld. Counsel for A-1 to A-4.  
Shri Kumar Vaibhaw, Ld. Counsel for A-3.  
Sh. Naresh C. Sharma, Ld. counsel for A-5 & A-6.  
Accused persons namely **A.K. Rajput, Narender Wadhwa, Ashok Kumar Purswani** and **Col. R.K. Singh** have also joined through Video Conference.

Present proceedings have been taken up through Video Conference which has been hosted by Court Reader Sh. Virender Yadav.

The matter has been listed today for seeking some clarifications from the IO of the case.

Ld. Counsel appearing for A-3 has sent on court e-mail his *vakalatnama* on behalf of A-3 A.K. Purswani. He is directed to drop a hard copy of the same in the box lying with the Ahlmad of the Court after putting the same in an envelope or file the same in the Court at the time of physical hearing.

Also, there is an application received on court e-mail moved by Shri S.P. Ahluwalia on behalf of accused persons namely A.K. Rajput, N.K. Wadhwa and Col. R.K. Singh for seeking their exemption from personal appearance before the Court today stating therein that being senior citizens, they are unable to travel because of prevalent situation of Covid-19.

**CC No. 278/19**

**CBI Vs. A. K. Rajput & Ors.**

It needs a highlight that on the last date, the present matter was adjourned for today which was the day fixed for taking up the matters fixed before the Court, through physical hearing and for that reason the accused persons were advised to move appropriate application seeking exemption for their personal appearance before the Court for today. However, as per directions of Ld. Principal District & Sessions Judge cum Special Judge (PC Act), Rouse Avenue District Court, the matters listed for today have been taken through virtual hearing. In any case, out of the above-named 3 accused persons, 2 accused persons namely A.K. Rajput and N.K. Wadhwa have joined the proceedings through video conference.

In view of the above, the present application has become infructuous.

Put up again tomorrow i.e. 23.9.2020 for a physical hearing. It is made clear that neither the accused nor Ld. Counsel need to come to the Court tomorrow as clarifications only from the IO is to be sought who is reported by Ld. PP for CBI to have arrived in Delhi. Ld. PP has informed the Reader that IO has been granted permission to attend court proceedings today only. The rescheduling of the physical hearing of this Court was beyond the control of this Court. Since the IO is in Delhi, having travelled all the way from UP, he is directed to stay put and appear before the Court tomorrow at 10.30 am. Any directions given by his superiors to attend court proceedings today only stand superseded by the directions of this Court for the IO to be present in the Court tomorrow morning

**CC No. 278/19**  
**CBI Vs. A. K. Rajput & Ors.**

The accused persons can move applications for exemption which is to be sent on the court e-mail.

**AJAY**  
**GULATI**  
**( AJAY GULATI )**  
**Spl. Judge (PC Act), CBI-12**  
**RADCC/New Delhi/22.09.2020**

Digitally signed by  
AJAY GULATI  
Date: 2020.09.22  
14:22:14 +0530

**IN THE COURT OF SH. AJAY GULATI  
SPECIAL JUDGE (PC ACT), CBI-12,  
ROUSE AVENUE DISTRICT COURTS, NEW DELHI.**

**CC No. 287/19**

**CBI Vs. Rajesh Khatri**

**22.09.2020**

Present: Dr. Jyotsna Sharma Pandey, Ld. PP for CBI.  
Shri Ajit Singh, Ld. Counsel for the accused.  
Accused Rajesh Khatri has also joined through Video  
Conference.

Present proceedings have been taken up through Video  
Conference which has been hosted by Court Reader Sh. Virender Yadav.

The matter has been listed today for the purpose of addressing  
arguments on the point of Charge.

On the last date of hearing, Ld. Counsel for the accused had  
requested for sometime to move an application under Section 91 of the Cr.  
PC. Today however, Ld. Counsel on instructions from the accused, submits  
that the accused is conceding to the Charges as proposed in the charge-sheet.

The matter was originally listed today for a physical hearing.  
However, since physical hearing date was changed and is now scheduled for  
tomorrow, put up again tomorrow i.e. 23.9.2020 at 10.30 AM. The accused  
as also his counsel are requested to be present physically so that formal  
charge can be framed.

Put up again tomorrow i.e. 23.9.2020 for a physical hearing.

**AJAY  
GULATI**

Digitally signed  
by AJAY GULATI  
Date:  
2020.09.22  
14:23:28 +0530

**( AJAY GULATI )  
Spl. Judge (PC Act), CBI-12  
RADCC/New Delhi/22.09.2020**