

CBI vs. Sh. D.S Sandhu and Ors.
CC No. 63/2019

17.06.2020

Present:- Accused No. 1 Sh. D.S. Sandhu and Accused No. 5 Smt. Sudershan Kapoor in person along with Ld. Counsels Sh. Y. Kahol and Sh. Deepak Sharma.

Sh. Mukesh Kumar Verma, Ld. Counsel for Accused No. 6 Sh. Ashwani Dhingra and Accused No. 11 Sh. Dal Bahadur Singh.

Accused No. 12 Sh. Vikas Srivastava in person along with Ld. Counsels Sh. I.D. Vaid, Sh. Ashok Angral and Sh. Dhruv Sehrawat.

Accused No. 7 Sh. Amit Kapoor in person.

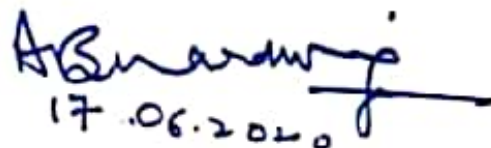
Accused No. 8 Sh. Rishi Raj Behl in person.

(Through VC using Cisco Webex App.)

Shri Y. Kahol, learned counsel for accused no. 1 Shri D.S. Sandhu resumed further final arguments today.

The learned counsel today read from the evidence of PW 8, PW7, PW9 and PW 10.

From the evidence of PW8 Shri J.S. Bhatti, the learned counsel pointed out that this witness has also deposed about his visit to Armapur and not Armapore. He submitted that this witness did not meet Sh.S.N. Pandey but choose to meet Shri Natha Prasad to conceal the true facts. He pointed out that Shri Natha Prasad had not


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consulted or referred to his record before making his observations about the KVP's being fake. He submitted that this witness had stayed at the post office hardly for 1 or 2 hours. This witness even did not verify the 9 KVP's over which lion of Central Bank of India was created. He also had not gone to the GPO, Kanpur to make any inquiry.

So far as PW7 Shri Vijay Prakash is concerned, the learned counsel re-emphasized about delay in registration of FIR in as much as the complaint was given on 31.07.1998 but the FIR was registered after 22 days thereof. It was pointed out that the witness has deposed that a loan of Rs. 1.40 Crores was issued against KVP's by the East Patel Nagar branch of the bank but the loan was not sanctioned by the branch and it was sanctioned by the regional manager. Further reading the evidence of this witness, the learned counsel submitted that the prosecution is relying on photo copies of the originals which have been certified and in fact these are all secondary evidence and the prosecution should have seized the original documents. Further he argued that the KVP's including interest thereon would be valuing around Rs. 2.5 Crores and any prudent person in possession of such KVP's will not take loan of Rs. 1.40 Crores from the bank. He submitted that the prosecution has not ruled out the possibility that the KVP's were issued from Post Office Armapur. The learned counsel compared the KVP's with currency notes and submitted that it was not humanly possible either for accused number 1 or accused number 5 to find out whether the same were genuine or not.

Referring to the evidence of PW 9 Shri Vinod Kumar Jain, the learned counsel submitted that this witness had no knowledge whether any circular was received from the head office/RBI that some fake/forged KVP's are in circulation. As per this witness, only in August 1998 the Regional Office came to know that forged/fake KVP's are in circulation. The learned counsel submitted that this witness falsifies the evidence of PW 3 Shri D.L.Khanijo that there was a circular in December 1997 about fake KVP's in circulation.

Referring to the evidence of PW 10 Shri KC Sharma, the vigilance officer of the bank, the learned counsel submitted that the stamp of security press, Nasik is genuine on the KVP's but no effort was made to find out the genuineness of the issuance of KVP's by the post office Armapur branch.

A. S. Shrivastava
17.06.2020

At this stage, the learned counsel requested for adjournment on the basis of some personal difficulty.

Now the matter shall be taken for further arguments through videoconferencing on **18.06.2020 at 11 AM.**

Let a copy of this order be sent by WhatsApp to all the accused and their learned counsels.



(ARUN BHARDWAJ)

Special Judge (P.C. Act)(CBI-05)

Rouse Avenue District Court,

New Delhi/17.06.2020