

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No. 166 of 2016

- O.P. Singhanian S/o Late Sheri Jaidayal Singhanian Aged About 56 Years
R/o Mahadevi, 6, Central Avenue, Choubey Colony, Raipur,
Chhattisgarh.

---- Petitioner

Versus

- Central Bureau Of Investigation Through A.C.B. Branch, Bhilai, District
Durg, Chhattisgarh.

---- Respondent

For Petitioner	:	Shri Maheen Pradhan
For Respondent	:	Shri Ejaj Khan, Special Public Prosecutor.

Order On Board By Hon'ble Justice Pritinker Diwaker

08/02/2016

This application has been filed for modification of the order dated 14.1.2016 passed by this Court in CRR No. 705/2015 as in paragraph No.2 thereof some typographical error has occurred.

2. Counsel for the petitioner submits that in the present case the petitioner has been made approver and any typographical error in the order will adversely affect not only his right but also the right of prosecution. He submits that while passing the order on 14.1.2016 correct facts were dictated in the open Court but there appears to be some typographical mistake in paragraph No.2 of the same.

3. Counsel for the respondent submits that he has gone through the averment made in the present petition and the contention made by the petitioner appears to be correct. He submits that he has no objection if the typographical error in the order dated 14.1.2016 is corrected as prayed by the petitioner.

4. Accordingly, for the reasons stated in the application, it is allowed. Let paragraph No. 2 of the order dated 14.1.2016 passed in CRR No. 705/205 be read as under:

“Facts of the case in brief are that on the basis of source

information FIR was registered by the applicant vide RC-1242012A0002 against 08 accused persons alleging commission of offence under Sections 7, 8 and 12 of the Prevention of Corruption Act (for short "the Act") read with Section 120-B of the Indian Penal Code (for short "IPC"). According to CBI, the Income Tax Department conducted survey in Khaitan Group and found one Rajesh Agrawal to be the Chartered Accountant of the said Group. The respondent herein is also a Chartered Accountant who according to CBI is close to Rajesh Agrawal. Certain illegal gratifications were said to be demanded by the Income Tax Officers for reducing the surrender amount and it is alleged that respondent O.P. Singhania managed all the affairs and convinced Khetan Group that he would manage the Income Tax Officers. It is said that on 26.4.2012 the respondent went to the house of Joint Commissioner, Income Tax (for short "JCIT") who demanded Rs. 15 Lakhs immediately from Khaitan Group. Accordingly, information was passed on by the respondent to one Arun Khetan to arrange the bribe amount and to reach the residence of JCIT immediately. **Thereafter, the respondent came out of the house and while he was sitting in the car, the bribe amount was handed over by Arun Khaitan and Sapan Khaitan to JCIT at his residence.** Both Arun Khaitan and Sapan Khaitan after handing over the bribe amount to JCIT came out of the house and on the way they were apprehended by the CBI and brought back to the house of JCIT. Thereafter, the bribe amount was recovered and trap proceedings were conducted. Immediately thereafter the CBI apprehended the respondent herein namely O.P. Singhania from Pandri Market and he too was brought back to the residence of JCIT. After completing all the formalities, the accused persons were arrested."

5. Rest of the order dated 14.1.2016 passed in CRR No. 705/2015 shall remain as it is.

Sd/-

(Pritinker Diwaker)

Judge