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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

**DECIDED ON : 1<sup>st</sup> AUGUST, 2016**

+ **CRL.M.C. 734/2015 & CRL.M.A.No.2783/2015**

**RAJESHWAR KUMAR GUPTA** ..... Petitioner

Through : Mr.Medhanshu Tripathi, Advocate  
with Mr.Harish Sharma, Advocate.

versus

**CBI** ..... Respondent

Through : Mr.Narender Mann, SPP with  
Mr.Manoj Pant, Advocate.

**CORAM:  
HON'BLE MR. JUSTICE S.P.GARG**

**S.P.GARG, J. (Oral)**

1. Present petition under Section 482 Cr.P.C. has been preferred by the petitioner for quashing of charge-sheet arising out of FIR No.RC-DAI-2003-A-0050 registered under Sections 120B/420/467/468/471 IPC read with Sections 13(1)(D) and 13(2) of PC Act pending before learned Special Judge, CBI, Patiala House Courts, New Delhi. Status report / response is on record.

2. I have heard the leaned counsel for the parties and have examined the file. The petitioner an advocate by profession was empanelled on the panel of Central Bank of India vide circular No.ZO/Legal/89/3 on 31.03.1989.

3. Admitted position is that earlier, he has filed CrI.M.C. No.3276/2013 which was disposed of vide judgment dated 09.02.2015 by this Court. In the said petition, the petitioner had prayed for quashing of the FIR. Since petitioner name did not figure in the FIR, the said petition was dismissed with grant of liberty to the petitioner to take appropriate steps. Subsequently, the instant petition for quashing of the charge-sheet was filed.

4. Attention has been drawn to the judgment dated 09.02.2015 of the Co-ordinate Bench of this Court in CrI.M.C.No.2704/2013 '*A Kumar Sharma vs.CBI*' in which the charge-sheet and the subsequent proceedings emanating therefrom were quashed qua him. Similarly, judgment of another Co-ordinate Bench of this Court in W.P.(CrI.)763/2011 and CrI.M.A.No.473/2013 dated 16.05.2013 has been referred to. In the said judgment also vide detailed reasons given therein, the impugned order framing charge against the said petitioner was set aside.

5. During the course of arguments, specific queries were put to the learned counsel for CBI if the case of the petitioner was different in any manner whatsoever from the petitioners S.Ram Yadav and A Kumar Sharma. Learned counsel for CBI, in fairness, admitted that the role of the present petitioner in the entire occurrence is same as that of the said petitioners whose petitions have been allowed and the charge-sheet has been quashed.

6. Since the petitioner's case is fully covered by the two petitions referred above, without reproducing detail reasons herein, on parity, the petitioner's case warrants disposal likewise.

7. Considering the above facts and circumstances of the case and the reasoning given by the Co-ordinate Bench of this Court in the above

referred petitions being applicable in its entirety, the charge-sheet qua the petitioner stands quashed. The petition stands disposed of. Pending application also stands disposed of.

**(S.P.GARG)**  
**JUDGE**

**AUGUST 01, 2016 / *tr***

