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

+ **CRL.M.C. 1252/2016**

ASHOTOSH KUMAR

..... Petitioner

Through: Mr. Sandeep Agarwal with Mr.
Sanjay Kr Singh, and Parul Goel, Adv

versus

C B I

..... Respondent

Through: Mr. Anupam Sharma, SPP with Ms.
Aditi Rath, Adv for CBI

CORAM:
HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER
16.03.2017

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Crl.M.A. No.19342/2017

The petitioner seeks correction of the cause title of the case from “ASHOOTOSH KUMAR v. CBI” to “ASHOOTOSH KANT v. CBI”. The application is allowed. The cause title of the case be corrected in the record accordingly. The application stands disposed of.

CRL.M.C. 1252/2016

The petitioner has preferred the present petition under Section 482 Cr PC to assail the order dated 21.03.2016, whereby the learned Special Judge (PC Act), CBI (East), Delhi has rejected the application moved by the petitioner

seeking a direction for sending the handwriting and signatures of the petitioner for the expert opinion of CFSL. The petitioner is accused no.8 in the case CBI v. A.K. Srivastava, RC No.56(A)/96. He had sought a direction that the documents Exhibits PW-10/1, 31/12, 31/16, 31/19, 31/21, 31/22 and 31/24, which are alleged to bear the signatures and handwriting of A.K. Gupta be sent for examination of the handwriting and signatures thereof by the CFSL on the premise that they were not his handwriting and signatures.

During the course of arguments, learned counsel appearing for the CBI has stated that sending the documents for such examination to CFSL would inordinately delay the trial. He submits that the CBI has no objection to the documents being got examined by a private handwriting expert by the petitioner.

In view of the aforesaid, the petition is allowed and the impugned order is set aside. The petitioner is permitted to get the aforesaid documents examined through a private handwriting expert. This is further subject to the condition that the petitioner/ accused does not delay the proceedings on the aforesaid ground. The petitioner shall take steps in this regard within the next two weeks and the handwriting expert be got examined within the next month.

VIPIN SANGHI, J

MARCH 16, 2017

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