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

+ CRL.M.C. 2779/2017

ASHA KAPOOR

..... Petitioner

Through: Mr.R.K.Kohli, Adv.

versus

CBI

..... Respondent

Through: Mr.Sanjeev Bhandari, Spl. PP for
CBI.

CORAM:

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

ORDER

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04.09.2017

The present petition has been filed under Section 482 of Code of Criminal Procedure, 1973 praying for release of documents and material seized during investigation from accused R. K. Kapoor (since deceased) in RC No.DAI (A) 34/99.

The Central Bureau of Investigation (CBI) has registered an FIR No.RC-34(A)/99-DLI dated 12.07.1999 for the offences punishable U/s 419,420,468/471 of Indian Penal Code, 1860 and Section 13(1) (d) read with Section 13(2) of the Prevention of Corruption Act on a complaint filed by M/s National Insurance Company Limited, a public section company engaged in insurance business. The complainant alleged that several accused together with some employees/officer of insurance company had extracted false insurance claims from the complainant company. Total value of these claims was about 17 lakh.

After investigation, the chargesheet has been filed and eleven persons

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were arrayed as accused persons by the CBI including R. K. Kapoor and were summoned to stand trial. Trial proceeded between the period from 2001 to 2015. On 19.01.2016 before the Trial was concluded, accused R. K. Kapoor expired and the proceedings against him stood abated.

Status report has been called for.

Mr. Sanjeev Bhandari, Learned Special Public Prosecutor has been heard.

Through its status report dated 30.08.2017 in para 9, the CBI has given no objection to the **Release** of documents at serial No.2 to 8 and 10 of search list, as detailed in para 7 of the status report which are as under :-

- (i) One file containing copies of Income Tax Return filed by Shri R.K. Kapoor alongwith supporting documents (MR-II Memo XVI S.No.2).
- (ii) One folder containing bank statements in respect of account No.2275, 6203 of Andhra Bank (MR-II, Memo XVI, Sl. No.3).
- (iii) One folder containing bank statement of account No.2223 of Nainital Bank Patparganj, New Delhi (MR-II, Memo XVI, Sl.No.4).
- (iv) One folder containing bank statements in respect of account No.2558 of Nainital Bank Ltd, IP Extn., New Delhi (MR-II, Memo XVI, Sl. No.5).
- (v) One folder containing bank statements of account No.2224, 6104 of Andhra Bank, Chandni Chowk, (MR-II, Memo XVI, Sl.No.6).
- (vi) One folder containing bank statements of account in respect of account No.1733 and 5972 of Andhra Bank Chandni Chowk alongwith copies of FDR, Pay Orders. Letter regarding presenting of Drafts, etc. (MR-II, Memo XVI, Sl.No.7).
- (vii) One folder containing misc. papers compromising of visiting card, letter dated 26.04.93 (MR-II, Memo XVI, Sl.No.8).

(viii) One file containing original fixed deposit receipts and deposit confirmation advice (Total 16 Nos.) (MR-II, Memo XVII, Sl.No.10).

In view of no objection, documents as detailed in para 7 of the status report dated 30.08.2017, be **released to Smt. Asha Kapoor widow of Late R.K. Kapoor (since deceased).**

The petition stands disposed of.

A copy of this order be given *dasti* to both the parties under signature of the court master.

SANGITA DHINGRA SEHGAL, J
SEPTEMBER 04, 2017/ssc