

\$~19

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

+ W.P.(C) 7161/2017

ANAND RAI

..... Petitioner

Through: Mr. Sarim Navid along with
Mr. Daniyal Khan, Advs.

versus

UNION OF INDIA AND ORS

..... Respondents

Through: Mr. Gautam Narayan, ASC with
Mr. R.A. Iyer, Ms. Mahamaya Chatterjee,
Mr. Abhinav Goyal, Advs. for GNCTD/Delhi
Police along with Mr. Lokendra Chauhan, Insp.
Mr. Jay Savla with Mr. Vishal Malhotra, Mr. Rajpal
Singh & Mr. Suresh Bisht, Advs. for R-3.
Mr. T. Singhdev, Adv. for R-4/MCI.
Mr. Kirtiman Singh, Adv. for NBE.
Ms. Rajdipa Behura, SPP for CBI with
Mr. Philomon Kani, Adv. for CBI.

CORAM:

HON'BLE MR. JUSTICE S. RAVINDRA BHAT

HON'BLE MR. JUSTICE A. K. CHAWLA

ORDER

%

12.03.2018

The respondents have filed status report which is on the record.

This Court has passed series of orders with respect to the conduct of investigation pursuant to the First Information Report (FIR) lodged by the Delhi Police. In the course of its investigation, it appears that the Police have arrested 12 persons in connection with the alleged offences and also seized several documents and materials including 126 hard discs, which have since been referred to the Forensic Science Laboratories for analysis and its report. The petitioner complains that a Special Investigating Team ought to be set up to go into the matter and if need be, the enquiry and prosecution of the offenders be handed over

to Central Bureau of Investigation (CBI). It is also submitted that the beneficiaries of the wrong doing have not been identified and no further action taken in that regard. The submissions of the Delhi Police and the respondents is that the investigations have led to filing of a charge sheet and the cognizance of the offence(s) has not yet been taken and that, in the event, any further incriminating material or circumstance surfaces, action by way of a supplementary charge sheet with consequential statements of the witnesses would be undertaken and that it is not necessary to hand over the case to the CBI.

Having regard to the affidavits filed by the respondents, it is apparent that the investigation has proceeded further – beyond the stage, when initial cognizance was taken in the present petition. The competent court is requested to consider and pass appropriate orders with respect to the charge sheet filed after hearing necessary parties as expeditiously as possible. All further proceedings with respect to investigation would of course be overseen by the competent court; the need to have any further investigation in accordance with Section 173(8) would also be examined at that stage.

No further orders are called for. The writ petition is disposed of.

S. RAVINDRA BHAT, J

A. K. CHAWLA, J

MARCH 12, 2018

kks