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

+ **CRL.M.C. 3546/2017**

SUBODH GUPTA & ORS.

..... Petitioners

Through: Mr. Harsh K. Sharma, Ms. Vaibhavi
Sharma, Mr. Rohit Gaur, Mr. Vivek
Punia and Mr. Pulkit Jain, Advs.

versus

CENTRAL BUREAU OF INVESTIGATION Respondent

Through: Mr. Sanjeev Bhandari, SPP with Mr.
Prateek Kumar, Adv. along with DSP
S.P. Rana and Constable R. Singh,
Assistant Malkhana Incharge.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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31.08.2018

On 27th October, 2017 during the course of hearing, learned counsel for the petitioners had confined his prayers only with regard to summoning of concerned Malkhana Incharge/Record Keeper of the CBI to produce and prove the following documents (a) and (b) :-

- a) M-22/98 RC 1 to 4(E)/98 SIU IX, Sl. No. 9 namely one file of Nirogi Hospital, JT Venture having pages 1 to 90;
&
- b) M-24/98 RC 1 to 4(E)/98 SIU IX, Sl. No. 50 namely one bunch of papers containing pages 1 to 161 containing pages related to Nirogi Charitable Medical Research Trust Sale Deed, etc.

Accordingly, learned SPP sought time to verify the facts from the concerned Investigating Officer.

Today, learned SPP submits that concerned Investigating Officer has retired. DSP S.P. Rana, CBI is present in Court. Learned SPP, on the instructions of DSP S.P. Rana, submits that the above-mentioned documents were seized by the CBI but later on the same were returned to petitioners on 21st April, 2003, pursuant to the order dated 22nd January, 2003 of the trial court. Photocopies of relevant pages of Search List have been placed on record to support this contention. Original pages of search list have been perused.

In view of the above, learned counsel for the petitioners seeks leave to withdraw the petition with liberty to prove the documents, in accordance with law.

Petition is disposed of as withdrawn.

Dasti.

A.K. PATHAK, J.

AUGUST 31, 2018

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