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

+ **W.P.(CRL) 1119/2019**

SH. VINAY BRIJ SINGH

..... Petitioner

Through: Mr. Shivanshu Bhardwaj, Mr. Rajiv Singh, Mr. Mridul Gaur, Advocates.

versus

DEBI PRASAD DASH, DIRECTOR GENERAL, DIRECTORATE OF REVENUE INTELLIGENCE & ORS. Respondents

Through: Mr. Aditya Singla, Mr. Ritvik Saha, Mr. Raghav, Advocate for R-1, 2 and 3.

Mr. Atul Guleria, Mr. Shubham Gupta, Ms. Yamini, Advocates for CBI.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

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21.03.2024

CRL.M.A. 38621/2019 (Amendment of Petition), CRL.M.A. 38639/2019 (Amended memo of parties) & CRL.M.A. 4963/2024 (Additional facts)

1. The application is filed under Article 226 of the Constitution read with Section 482 of the Code of Criminal Procedure seeks following prayer:

“In the premises of the above, it is respectfully prayed that this Hon’ble High Court may be pleased to:

(a) Issue direction in the nature of mandamus directing respondent no. 4 (Director, CBI) to register FIR against respondent nos. 1, 2 and 3 for having committed offences under sections 120-B/ 167/ 182/ 211 of IPC and launch prosecution against them in accordance with law for falsely implicating the petitioner in a case related to overvaluation of import of rough diamond in order to protect/shield the importer.



(b) Direct Revenue Secretary, to transfer respondent no. 1 from the post of DG, DRI so that he cannot interfere in investigation and impartial, unbiased and fair investigation can take place.

(c) To quash the order No.C-14011/29/2018-Ad V/114/2019 dated 21.01.2019, in as much as it provides that the competent authority had given approval for referring the matter to CBI for investigation.

(d) To give directions which can prevent victimisation/ penalisation of the petitioner who is honest conscientious officer and who was merely performing his duty, in diligent and lawful manner.

(e) Pass such other and further order which this Hon'ble Court deem fit and proper in the existing facts and circumstances of the case."

2. Learned counsel appearing for the petitioner seeks leave to withdraw the present petition with liberty to initiate appropriate proceedings in accordance with law before the court of competent jurisdiction with respect to the latter's grievance qua his prosecution.

3. Leave and liberty granted.

4. The present petition is dismissed as withdrawn and disposed of accordingly.

AMIT SHARMA, J

MARCH 21, 2024/K