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

+ W.P.(CRL) 1803/2023

RAJIV GUMBER

.....Petitioner

Through: Mr. Chinmaya Seth, Advocate.

versus

ADDITIONAL DIRECTOR GENERAL

.....Respondent

Through: Mr. Anurag Ojha, Mr. Dipak Raj and
Mr. Subham Kr., Advocates.

+ W.P.(CRL) 2282/2023, CRL.M.A. 21383/2023

SHAILY GUMBER

.....Petitioner

Through: Mr. Chinmaya Seth, Advocate.

versus

ADDITIONAL DIRECTOR GENERAL

.....Respondent

Through: Mr. Anurag Ojha, Mr. Dipak Raj and
Mr. Subham Kr., Advocates.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

% **14.05.2025**

1. In the present petitions, since the prayers are identical, only the prayer made in W.P.(CRL) 1803/2023 is being extracted hereinbelow to give context. The same is as follows:

“(i) Issue a writ or order in the nature of Mandamus or any other writ directing the Respondent to not conduct the investigation in a highhanded manner and ensure that the interrogation/interaction with the Petitioner is with legal safeguards as follows:

a. permit the presence of Petitioner’s advocate during the time of recording



of Petitioner's statement, at a visible, but not audible distance in relation to the interrogation by the officers of Respondent against Petitioner in relation case/file No DRI/HQ-CI/50-D/Int-13/2022/Pt. Rajgshag; and
b. video graph the recording of Petitioner statements and also allow the Petitioner to write his statement in his own handwriting and sign the same in relation to case/file No CASE/FILE No DRI/HQ-CI/50-D/Int- 13/2022/Pt. Rajgshag; and
c. Direct that a Departmental Inquiry be conducted against the relevant officers for abusing their powers and non-compliance of the law laid down in D.K Basu vs. State of West Bengal (1997) 1 SCC 416; and
d. Direct the Respondent to conduct the interrogation of Petitioner in the case/file No DRI/HQ-CI/50-D/Int-13/2022/Pt. Rajgshag, in case required, during the time from 10 AM to 5 PM, on date (working day) of their choice, with usual breaks as per law laid down in Rajinder Arora Vs. Union of India & Ors [WP (Civil) 389 of2010- Supreme Court]"

2. Since no interim relief was granted, over the period of time, the proceedings in the impugned cases continued and now show cause notices have been issued to both the Petitioners by the Respondent.
3. In light of the above, the relief sought in the present petitions has been rendered infructuous and no further directions are necessary.
4. During the course of adjudication of the show cause, the Petitioners shall be free to take all legal defences in accordance with law, in respect of the statements recorded. Objections, if any, shall be considered in accordance with law.
5. All rights and contentions of the parties are left open.
6. With the above directions, the petitions are disposed of along with the pending application(s).

SANJEEV NARULA, J

MAY 14, 2025/nk