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

+ CRL.M.C. 3719/2018 & CRL.M.A. 28696/2018

VIJAY KUMAR JAIN

.....Petitioner

Through: Mr. Yudhishtar Kahol, Mr. Kunal Kahol
and Mr. Deepak Sharma, Advocates.

versus

CENTRAL BUREAU OF INVESTIGATION

.....Respondent

Through: Mr. Ripudaman Bhardwaj, SPP, CBI
with Mr. Kushagra Kumar, Mr. Abhinav
Bhardwaj and Mr. Amit Kumar Rana,
Advocates.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

26.03.2025

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1. Petition under Section 482 Cr.P.C has been filed for quashing of RC No.1/2006/EOU-VIII, P.S.CBI/EOU-VIII, New Delhi and the proceedings emanating therefrom.
2. Essentially the challenge is that the RC has been registered under Section 217 IPC which is a non cognizable offence under which the investigation could not have been carried out by the Respondent on its own. Moreover, the offences had not been notified when the investigations were carried out and, therefore, the investigations so carried out are *non est*.
3. It is further submitted that this Court had directed a Preliminary Enquiry to be conducted within two weeks which was extended eventually to six weeks, despite which the enquiry was concluded after 11 weeks. It is further submitted that on account of the legal invalidity of the investigations carried out, the present FIR be quashed.
4. *Learned counsel on behalf of the Respondent* submits that the Chargesheet has already been filed and the charges framed in which 6 prosecution witnesses out of 14 have already been recorded. It is further submitted that similar pleas were taken to challenge the summoning as well as



the Order on Charge wherein also the Petitions were disposed of giving a liberty to the Petitioner to raise these contentions at the appropriate stage.

5. **Submissions heard and record perused.**

6. Considering that the Chargesheet already stands filed and the stage of summoning and charge has also crossed, the Petition is disposed of with liberty to the Petitioner to raise these contentions at the appropriate time before the learned Trial Court.

7. Petition is disposed of.

NEENA BANSAL KRISHNA, J

MARCH 26, 2025

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