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

+ **CRL.M.C. 5639/2023**

LAXMI CHAND GUPTA & ANR.

.....Petitioners

Through: Mr. Ramesh Gupta, Sr. Advocate with
Mr. Ajay Kumar, Mr. Swapnil Aeron,
Mr. Shilendra Singh, Mr. Ishaan Jain
and Mr. Surya Pratap Singh,
Advocates.

versus

CENTRAL BUREAU OF INVESTIGATIONRespondent

Through: Ms. Anubha Bhardwaj, SPP, CBI with
Ms. Ananya Shamsheery and Ms.
Manvi Dhingra, Advocates.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

04.05.2026

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1. Petitioner No.1 herein is facing prosecution for being found in possession of assets, disproportionate to his income. Petitioner No.2, his wife is alleged to be abettor.
2. Charge-sheet was filed way back in the year 2015 and after taking cognizance and after framing of charges, the case was put to trial.
3. It seems that after the concerned *sanctioning authority* appeared into witness box, an application was moved by the petitioners seeking dropping of the proceedings on the premise that sanction was not valid in the eyes of law. Though the abovesaid application should not have been entertained during the middle of the trial, it seems that the application was moved because of order dated 29.11.2016 as the learned Trial Court had observed that the validity of



sanction would be seen at the stage of trial.

4. Sh. Ramesh Gupta, learned Senior Counsel for the petitioners submits that the trial is continuing and as per instructions, he would not press his present petition if at the stage of final arguments the important aspect - whether the sanction is valid and legal or not, is directed to be reconsidered by the learned Trial Court, without being prejudiced by the observations appearing in impugned order dated 02.05.2022.

5. Though according to learned SPP for CBI, there is nothing illegal in the impugned order dated 02.05.2022, they would have no objection if the abovesaid aspect is reconsidered by the learned Trial Court at the stage of final arguments.

6. In view of the above, the present petition is disposed of as not pressed.

7. All rights and contentions of the parties are reserved.

8. Liberty is granted to the petitioner to raise contentions with respect to the validity of consent in question by making reference to the deposition of the concerned prosecution witnesses and documents at the stage of final arguments and the learned Trial Court shall decide the abovesaid issue, without being prejudiced by the observations appearing in order dated 02.05.2022.

MANOJ JAIN, J

MAY 4, 2026

st/sk