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

+ CRL.M.C. 9082/2025, CRL.M.A. 38025/2025, CRL.M.A. 38026/2025 & CRL.M.A. 38027/2025

MAYANK GUPTA & ORS.Petitioners
Through: Mr. Aditya Wadhwa, Mr. Arunav
Sarma, Mr. Raunaq Bali, Mr.
Hanumant Singh, Advocates.

versus

CENTRAL BUREAU INVESTIGATION THROUGH THE
INVESTIGATING OFFICER DEPUTY SUPERINTENDENT OF
POLICERespondent

Through: Mr. Premtosh K. Mishra, SPP for
CBI with Mr. Shrey Sharma,
Advocate, SP I.B. Pendhari, CBI
ACB and SI Mohit Kumar.

+ CRL.M.C. 9104/2025, CRL.M.A. 38114/2025 & CRL.M.A. 38116/2025

MAYANK GUPTA & ANR.Petitioners
Through: Mr. Aditya Wadhwa, Mr. Arunav
Sarma, Mr. Raunaq Bali, Mr.
Hanumant Singh, Advocates.

versus

CENTRAL BUREAU OF INVESTIGATION THROUGH ITS
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POLICERespondent

Through: Mr. Premtosh K. Mishra, SPP for
CBI with Mr. Shrey Sharma,
Advocate, SP I.B. Pendhari, CBI
ACB and SI Mohit Kumar.

CORAM:
HON'BLE MR. JUSTICE PRATEEK JALAN



ORDER

14.01.2026

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1. These two petitions concern proceedings before the learned Special Judge, Prevention of Corruption Act, in CC No.78/2023.

CRL.M.C. 9104/2025

2. In CRL.M.C. 9104/2025, the petitioner challenges an order of the Special Court dated 10.10.2025, which directed framing of charges against the petitioners, and an order dated 30.10.2025, by which charges were framed in the aforesaid case.

3. The principal argument of Mr. Aditya Wadhwa, learned counsel for the petitioners, is that charges have been framed in respect of an allegation of forgery of a certificate issued by the Chief Electrical Engineer, which does not arise in the present case at all, and was in fact not part of the charge sheet in the case under reference. He submits that the subject case arises out of Tender No. 17-Elect-DYCEE/C/T/34 [Tender-34] issued by the Northern Railways. However, the said allegation in fact pertains to a different tender (Tender No. 17- Elect-DYCEE/C/T/47 [Tender-47], issued by the Northern Railways) in respect of which independent proceedings are in progress before the Court of learned Chief Metropolitan Magistrate in Case No. 12/2020. Mr. Wadhwa contends that the error reflects non-application of mind by the Special Court, perhaps due to the fact that a common complaint had been filed in respect of both tenders.

4. Mr. Premtosh K. Mishra, learned Special Public Prosecutor for Central Bureau of Investigation [“CBI”], upon instructions from Mr. I.B.



Pendhari, Superintendent of Police, CBI, accepts that the order framing charges appears to have intermingled allegations with regard to the two tenders, only one of which is the subject matter of the present proceedings. He, therefore, submits that the impugned orders dated 10.10.2025 and 30.10.2025 may be set aside, and the matter remanded to the Special Court for fresh consideration at the same stage.

5. In view of the above statement, orders dated 10.10.2025 and 30.10.2025 are set aside, and the matter is remanded to the Special Court for fresh consideration at the same stage. It is made clear that Special Court will proceed in accordance with law, and all rights and contentions of the parties remain reserved. As the above position is accepted by the respondent, I have not heard the parties on any other aspect.

6. I am informed that proceedings are listed before the Special Court on 16.01.2026. The parties will appear on the said date for further proceedings.

7. CRL.M.C. 9104/2025 stands disposed of, alongwith pending applications.

CRL.M.C. 9082/2025

8. In view of the order passed above, CRL.M.C. 9082/2025 is not pressed.

9. CRL.M.C. 9082/2025, alongwith pending application, is therefore dismissed as withdrawn.

PRATEEK JALAN, J

JANUARY 14, 2026/SS/AD/