

**In the court of Shri Naresh Kumar Laka
Special Judge (PC Act) (CBI-20),
Rouse Avenue District Courts, New Delhi**

In the matter of:

Central Bureau of Investigation

vs.

VIKAS GUPTA AND ORS.

CBI-24/2021

RC No. DAI-2019-A-0015/CBI/ACB/ND

CNR No. DLCT11-000169-2021

ORDER

21.12.2022

Vide this order, I shall dispose of an application filed under Section 457 r/w 482 Cr.PC on behalf of accused no.2 seeking return of certain documents, amount and defreezing of account/locker. Reply filed. Copy supplied.

2. Argument heard from Sh. Abhishek Yadav, Ld. Counsel for applicant Dr. Kajal Goldar (A-2) and Sh. Pramod Singh, Ld. PP for CBI.

3. By way of this application, the applicant/accused no.2 is seeking release of certain documents of his properties and the amount of Rs.7,25000 (as mentioned in the application) which were seized by the

CBI during investigation.

4. As per the reply of the IO/CBI, the aforesaid documents as mentioned from serial no. (I) to (IX) of the application, are in possession of the CBI and they are not the relied documents. It is also mentioned in the application that CBI has no objection for release of the said documents. Accordingly, the CBI is directed to release the said documents, after retaining their photocopies (self attested), to the rightful owner of the said documents/articles.

5. As regards the cash amount of Rs. 7,25,000, in the reply, it is stated that said matter may be referred to the Income Tax Department. On the contrary, the applicant and his counsel stated that the said amount was lying at his residence which was part of the amount of his mother who died at that time and further amount was arranged from the salary fund of the applicant for the foreign tour of his son (who is a Drummer).

6. Although, the said amount appears to be very huge but in the absence of any incriminating material relating to present case, same be released to the applicant with the condition that if the Income Tax Authority or the CBI wants to take any step towards violation of any provisions of law, they may do so, as per law.

7. Ld. Counsel for the applicant also states that bank A/c No. 40961, Bank of India, Rajori Garden Branch may also be defreezed. The

IO has already given his NOC in the reply. Accordingly, Concerned Bank Manager is directed to defreeze the said bank account. Copy of the order be given dasti to the applicant who will give it to the concerned Branch Manager for compliance. The application is disposed off. Copy of order be given dasti, as desired.

Announced in the open court
today i.e. 21.12.2022

(Naresh Kumar Laka)
Special Judge (PC Act) (CBI-20),
Rouse Avenue District Courts,
New Delhi/21.12.2022