

**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

24.03.2023

Vide this order, I shall dispose of an application filed under Section 457 on behalf of accused no.1/applicant Dr. Vikas Gupta and his wife Smt. Geeta Gera seeking return of certain documents, cash of Rs.4,75,000/- and to defreeze two bank accounts. Reply filed by CBI. Copy supplied.

2. Arguments heard from Smt. Meenakshi Mohan, Ld. Counsel for the applicants and Sh. Pramod Singh, Ld. PP for CBI.

3. It is stated in the application that on 02.05.2019 a search was conducted at the residential premises of the applicants, namely Dr. Vikas

Gupta and Smt. Geeta Gera and certain documents of their properties and cash of Rs.4,75,000/- were seized by the CBI. It is further stated that two bank accounts were freezed during the aforesaid search. It is therefore prayed to release the said documents, cash and defreeze both the bank accounts of the applicants.

4. As per the reply of the IO/CBI, the aforesaid documents as mentioned from serial no. (I) to (VIII) of the reply, are in possession of the CBI and they are not the relied documents. It is also mentioned in the reply 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. 4,75,000, in the reply, it is stated that said matter may be referred to the Income Tax Department to deal in accordance with provisions of Income Tax Act and Rules. On the contrary, the applicants and their counsel stated that the said amount was seized by the CBI and was not produced before the court as case property which makes clear that the same is not required any more.

6. Although, the said amount appears to be very huge but in the absence of any incriminating material relating to the present case, same be released to the applicant with the condition that if the Income Tax Authority or the CBI wants to take any action for violation of any

provisions of law, they may do so, as per law.

7. Ld. Counsel for the applicants also states that bank accounts bearing no. 012783900000040 and 012790700001384 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 accounts.

8. Copy of the order be given dasti to the applicants 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. 24.03.2023**

**(Naresh Kumar Laka)
Special Judge (PC Act) (CBI-20),
Rouse Avenue District Courts,
New Delhi/24.03.2023**