

CNR No. DLCT11-000254-2022

CBI No. 34/2022

CBI Vs. Saurav Kumar Sharma

23.02.2023

Present : Ms. Shweta Dhingra, Ld. PP for CBI alongwith
IO/Inspector Ravinder Kumar Bharti.

Accused is absent.

Sh. Naveen Kumar, Ld. Counsel for accused.

O R D E R

Today, the matter is fixed for reply and further arguments on the application of the accused.

An application seeking exemption from personal appearance of accused has been filed by the Ld. Counsel for accused. Heard. Exemption of accused is allowed only for today.

Fresh reply filed by the IO to the application of the accused filed U/s 207 CrPC read with 91 CrPC. Copy supplied.

Arguments heard.

It is not disputed by the IO that he collected the documents mentioned in para 9 of the application from the accused and his father. He, however, has denied that he recorded the statement of the father of the accused U/s 161 CrPC or that he visited the residence of the accused and made enquiries from neighbours etc. The prosecution has opposed this application on the ground that at the stage of charge, accused cannot rely upon the unrelieved documents collected by the prosecution.

Record shows that this is a case of disproportionate assets and the documents given to the IO by the accused and his father in pursuance to the notice U/ 160 CrPC are the income tax returns and income details of the accused and his father. The

documents were collected by the IO and whether the same are material or not has to be adjudicated by the court and not by the IO. IO is, therefore, directed to file the documents mentioned in para 9 of this application and supply the advance copy to the Ld. Counsel for the accused.

With this order, the application of the accused filed U/s 207 CrPC read with 91 CrPC stands disposed off.

Put up for arguments on the point of charge on **21.03.2023**.

(AMIT KUMAR)
Special Judge, PC Act, CBI-04
Rouse Avenue Courts, New Delhi
23.02.2023