

(CNR No. DLCT11-000254-2022)
CBI No. 34/2022
CBI Vs. Saurav Kumar Sharma
RC No DAI-2021-A-0024 PS CBI/ACB/ND
U/s 13 (2) r/w 13 (1) (b) PC Act

13.10.2025

Present : Sh. Hari Mohan, Ld. Sr. Public Prosecutor for CBI.

Accused Saurav Kr Sharma (VC) on bail with
Ld. Counsel Sh. Naveen Kumar, Advocate.

MHC (M) Constable Gopal Jat with case property.

PW-23 I.O/Inspector Ravinder Kumar is partly examined-in-chief. His further examination is deferred as other prosecution witnesses are yet to be examined.

PW-15 Azad Singh is discharged un-examined as the expert witness Sh. P.K. Gottam has telephonically informed the Pairvi Officer concerned about his inability to appear today.

As far as the summons issued to Assistant Programmer for today is concerned, the same is received back unserved.

At this stage, Arguments on the application (I.A-4/2025) of CBI already moved under Section 311 Cr.P.C (348 of BNSS 2023) praying for summoning of Sh. M. Jagannatha Rao, Principal Staff Officer to Home Secretary to prove D-36 in place of Sh. Ajay Kumar Bhalla, the then Secretary to Govt of India, MHA, presently Hon'ble Governor of Manipur.

The copy is supplied and Ld. Counsel for accused wishes to straightaway argue on the same.

It is, inter alia, pleaded in the application that the present case was registered on source information which is

pending trial. The matter is at the stage of prosecution evidence. The CBI has already filed on record D-36 through their application dated 24.04.2024, however, the witness concerning the said document namely Ajay Kumar Bhalla, the then Secretary, MHA, was not cited inadvertently. It is the permission order of interception of calls was passed by the then Secretary, MHA, who is presently Hon'ble Governor of Manipur. Therefore, in order to prove the said order of interception of calls, Sh. M. Jagannatha Rao, Principal Staff Officer, MHC be summoned in place of the competent authority.

Per contra, Ld. Counsel for the accused argued that they are vehemently opposing the present application as no reason has been given in the application as to why the said witness was not cited earlier in the chargesheet.

Heard and considered.

The important piece of material relied upon by the prosecution in order to prove their case are the intercepted calls. Therefore, proving of the said intercepted calls and whether the same was done as per the law under the Indian Telegraph Act, the interception orders of the Competent Authority are crucial documents. The said evidence in a way would help the Court towards the just decision in the present case and whether the said intercepted calls can be relied upon or not.

Now, coming to the objection raised on behalf of the accused as to whether there is justifiable reason pleaded in the application for non-inclusion of concerned witness qua D-36 or not. The only reason pleaded by the prosecution is the inadvertence and due to the same, the name of concerned Competent Authority being not mentioned in the list of witnesses.

It is apparent from the record that the matter is still at trial stage and prosecution evidence is going on. Any such request of examining any additional witness by the prosecution is not going to cause any prejudice to the accused as he would have all the opportunity to cross-examine and discredit the additional witness.

In view of the above, **the application (IA-4/2025) in hand is allowed.** The additional witness namely M. Jagannatha Rao, Principal Staff Officer to Secretary, MHA, Govt of India, be summoned for the next date of hearing.

Accordingly issue fresh summons to **PW-15 Azad Singh and Sh. P.K. Gottam alongwith Assistant Programmer and additional witness namely M. Jagannatha Rao, Principal Staff Officer for NDOH.**

Be listed for PE on **11th November 2025.**

(GAGANDEEP SINGH)
Special Judge, PC Act, CBI-04
Rouse Avenue District Courts,
New Delhi: 13.10.2025