

CC No. 31/2022
CNR no. DLCT11-000266-2022
RC No. 09(A)/2018/CBI/AC-1/ND
CBI vs. Sachin Chauhan & Ors.

13.08.2025

(Present proceedings have been conducted on Hybrid Mode)

Present : Shri Raj Kamal, Ld. PP for CBI.

A-1 Sachin Chauhan, **A-2** Kuldeep, **A-4** Amit, **A-5** Dipu Kumar, **A-6** Sanjay @ Sanjay Kadian in person, through VC.

A-3 Vikram Mishra in person, physically present.

Sh. S. Athmanandha Perumal, AR of **A-7** M/s Sify Technologies in person, through VC.

Shri Nitish Gupta, Ld. Counsel for **A-2** Kuldeep, physically present.

Ld. Counsels Sh. Prateek Lakra and Sh. Avi Kalra for **A-4** Amit Kumar, through VC.

Ld. Counsel Sh. Siddharth Kumar for **A-5** Dipu, through VC.

Shri Sandeep Bisht, Ld. Counsel for **A-6** Sanjay @ Sanjay Kadian, physically present.

Sh. Nishant Varun, Ld. Counsel for **A-7** M/s Sify Technologies, through VC.

1. Submission on the point of charge on behalf of **A-4** heard. It is the submission of counsels for **A-4** that on 21.02.2018, contrary to what stated in paras 16.6 and 16.7 of the chargesheet, **A-4** Amit was in Ghaziabad as per the Call Detail Record (CDR) (D-41). It is further their submission that it is the own case of CBI (para no. 16.12 of chargesheet) that mobile phone of **A-4** was very much working on that day. Counsels for **A-4** go on to state that on 20.02.2018 **A-4** was in fact in Harayana where he resides and on 21.02.2018 he was travelling to HRIT College, Ghaziabad, UP in connection with some

examination. It is next their submission that name of A-4 Amit came up only in the confession statement of co-accused Sachin Chauhan made to CBI; that Sachin Chauhan in fact had no contact whatsoever with A-4 Amit. They also submit that there is no recovery of money and any other incriminating material or document from A-4; that there is no transaction of money in the bank account of A-4 and his family members to connect him with the alleged offence; that the digital footprints does not link A-4 with the alleged offences; that no financial gain accrued to A-4; that CBI has failed to attribute any motive to A-4 qua the alleged offences; that the CDRs cannot alone prove the involvement of A-4 in the alleged offences; that the main culprit Ravi, who is in fact a prosecution witness, has not been made an accused despite the fact that he initiated the entire conspiracy.

2. In support of their arguments, Ld. Counsels for A-4 rely on the following judgments. (a) Union of India v. Prafulla Kumar Samal, (1979) 3 SCC 4, (b) Sajjan Kumar v. CBI, (2010) 9 SCC 368, (c) Dipakbhai Jagdishchandra Patel v. State of Gujarat & Anr., (2019) 16 SCC 547, (d) Kashmira Singh v. State of M. P., AIR 1952 SC 159, (e) Haricharan Kurmi v. State of Bihar, AIR 1964 SC 1184, (f) Azad v. State of GNCT of Delhi & Anr., (2023) 2 High Court Cases (Del) 435 : 2023 SCC OnLine Del 1769, (g) Uma Shankar Gopalika v. State of Bihar & Anr., (2005) 10 SCC 336, and (h) Vipin Sahni & Anr. v. Central Bureau of Investigation 2024 SCC OnLine SC 511.

3. A-3 Vikram Mishra submits that he has not engaged a counsel to contest this matter and he does not have resources to engage a private counsel. He requests that a Legal Aid Counsel

be appointed to represent and defend him in this matter. Accordingly, Advocate Keshav Sharma (M. No. 9999924659), Remand Advocate of this Court for this month and on the panel of DLSA for CBI cases, is requested to assist and represent A-3 Vikram Mishra in this matter.

4. At this stage, on a Court query A-3 Vikram Mishra submits that he did not receive copy/e-copy of the chargesheet and documents. IO be called for the next date of hearing.

5. On the next date of hearing arguments on charge on behalf of A-5 shall be heard.

6. Copy of this order be sent to the office of DLSA, Central District, Rouse Avenue Court for information and necessary action, if any.

7. List on 01.09.2025. *Dasti* order to Advocate Keshav Sharma.

(M. P. Singh)
Special Judge (PC Act) CBI-02
RADC/New Delhi/13.08.2025