

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

10.09.2025

(Present proceedings have been conducted on Hybrid Mode)

Present : Shri Raj Kamal, Ld. PP for CBI.
A-1 Sachin Chauhan, A-2 Kuldeep, A-3 Vikram Mishra, A-4 Amit Kumar, A-5 Dipu Kumar, A-6 Sanjay @ Sanjay Kadian on bail, through VC.
Sh. S. Athmanandha Perumal, AR of A-7 M/s Sify Technologies, through VC.
Shri Aditya Sachdeva, Ld. Counsel for A-1 Sachin Chauhan, through VC.
Sh. Nitish Gupta, Ld. Counsel for A-2 Kuldeep, physically present.
Sh. Keshav Sharma, DLSA Counsel for A-3 Vikram Mishra, physically present.
Sh. Devesh Chauhan, Ld. Counsel for A-4 Amit Kumar, through VC.
Sh. Siddharth Kumar, Ld. Proxy Counsel for A-5 Dipu, through VC.
Sh. Sandeep Bisht, Ld. Counsel for A-6 Sanjay @ Sanjay Kadian, physically present.
Sh. S. S. Ahluwalia, Ld. Counsel for A-7 M/s Sify Technologies, physically present.

1. Arguments on charge on behalf of A-6 Sanjay @ Sanjay Kadian heard.
2. It is the submission of Counsel for A-6 Sanjay @ Sanjay Kadian that the CDR cannot say with precision that A-6 Sanjay @ Sanjay Kadian was at E-142/143, Gandhi Vihar, Delhi (the house from which remote access of the questions were taken) on 21.02.2018; that A-6 Sanjay @ Sanjay Kadian in fact

was residing at A-227, Gandhi Vihar, Delhi; that on 21.02.2018, as per the CDR, the first call involving A-6 Sanjay @ Sanjay Kadian was at about 10:11 P.M. (well after the examination got over at 5:15 p.m.) and this was a call that he received from A-3 Vikram Mishra; that the next call as per the CDR involving A-6 Sanjay @ Sanjay Kadian was at about 1:35 P.M. on 22.02.2018 and this was a call that he received from A-4 Amit Sharma; that given these calls as per the CDRs, it cannot by any stretch of imagination be construed that A-6 Sanjay @ Sanjay Kadian was instrumental or in concert with the others in gaining remote access of the questions on 21.02.2018; that CDR of A-6 Sanjay @ Sanjay Kadian is not filed on record; that the aforesaid details with respect to the calls is decipherable from the CDRs of A-3 Vikram Mishra and A-4 Amit Sharma; that there is no document or any CDR to show that A-6 Sanjay @ Sanjay Kadian was telephonically in touch with rest of the accused persons; that witness Sunil Kumar (LW3) in his statement under Section 161 CrPC states that the premises bearing no. A-227, Gandhi Vihar, Delhi was taken on rent by A-6 Sanjay @ Sanjay Kadian and A-4 Amit Sharma and in the said premises broadband services of M/s DEN Network Ltd. with CAF no. DL00291882 was installed in the name of A-4 Amit Sharma, but these two aspects do not in any manner prove the culpability of A-6 Sanjay @ Sanjay Kadian; that the statements of witnesses Dilip Manjhi (LW04), Gaurav Reja (LW05) and Benwari Lal (LW08) do not in any manner show that the computer system of A-1 Sachin Chauhan was connected with the IP being used by A-6 Sanjay @ Sanjay Kadian and the averments of the CBI in this regard are contrary

to the record; that the statement of Gaurav Reja (LW05) contradicts the contents of chargesheet inasmuch as it mentions a different IP address which is not mentioned in the chargesheet (paragraph no.16.9 of the chargesheet); that the mere statements of witnesses Krishna Kumar (LW17), Naveen Kumar (LW18), Ashok Kumar (LW19) and Neeraj (LW20) will not *ipso facto* establish that A-6 Sanjay was using the internet connection installed in E-142/143, Gandhi Vihar, Delhi; that there is no recovery of any incriminating material from the possession or at the instance of A-6 Sanjay @ Sanjay Kadian; that A-6 Sanjay @ Sanjay Kadian was not present at the examination centre at the time of the examination; that A-6 Sanjay @ Sanjay Kadian was not running any Coaching Centre; that A-1 Sachin Chauhan has not in his statement named A-6 Sanjay @ Sanjay Kadian; that the digital footprints do not at all connect A-6 Sanjay @ Sanjay Kadian with the commission of alleged offence(s) or with the other accused; that there is no CCTV footage seized by the CBI to show the culpability of A-6 Sanjay @ Sanjay Kadian.

3. Ld. DLSA Counsel for **A-3** Vikram Mishra will advance his arguments on the point of framing of charge on the next date of hearing.

4. At this stage, Sh. Keshav Sharma, Ld. DLSA Counsel for **A-3** Vikram Mishra states that he does not have the list of unrelayed upon documents. Ld. Counsel Mr. S.S. Ahluwalia has shared the list of unrelayed upon documents with Sh. Keshav Sharma, DLSA Counsel for A-3 Vikram Mishra.

5. Ld. DLSA Counsel for A-3 Vikram Mishra now prays

that he be allowed to inspect the unrelayed documents. Ld. PP for CBI does not oppose this prayer made on behalf of A-3. Ld. PP for CBI submits that unrelayed documents are in *maalkhana* of CBI. Sh. Keshav Sharma, Ld. DLSA Counsel for A-3 Vikram Mishra is at liberty to inspect the unrelayed documents in the *maalkhana* of CBI on any working day during office hours before the next date of hearing.

6. **Issue notice to MHC(M) to produce the CCTV footage(s) of this case on the next date of hearing.**

7. List the matter for arguments on charge on behalf of **A-3 Vikram Mishra** on **10.10.2025** and which shall then be followed by arguments on charge on behalf of **A-7 M/s Sify Technologies** on **18.10.2025 at 2:00 P.M.**

(M. P. Singh)
Special Judge (PC Act) CBI-02
RADC/New Delhi/10.09.2025