

**IN THE COURT OF SHRI HASAN ANZAR,
SPECIAL JUDGE, PC ACT (CBI-03),
ROUSE AVENUE DISTRICT COURT, NEW DELHI**

*CBI Vs. Seema Mutneja & Ors.
CC No. 75/2019
Date of Institution : 10.08.2015*

08.05.2025

Present : Shri Mandeep Singh Maan, Ld. PP alongwith HIO/SI Avinash for the CBI.
A-2 Mohanjit Singh Mutneja & A-8 Rajnish Kr. Srivastava on bail.
A-1, A-3, A-4, A-6, A-7 and A-9 on bail – Through VC.
A-5 K.N. Aithal has expired on 25.08.2021.
Shri Rohit Priya Ranjan, Ld. Counsel for A-1 and A-3 - Through VC.
Ms. Vaibhavi Sharma, Ld. Counsel for A-2.
Shri K.K. sharma, Ld. Counsel for A-4 – Through VC.
Ms. Sunita Sharma (In person) and Shri M.K. Gupta (Through VC),
Ld. Counsels for A-6.
Shri Kundan Kumar Mishra, Ld. Counsel for A-7.
Shri Saurabh Tyagi, Ld. Counsel for A-8.

1. On 09.04.2025, the application moved on behalf of the prosecution under section 348 BNSS was partly allowed and it appears that the order dated 09.04.2025 was assailed before Hon'ble Delhi High Court. Hon'ble Delhi High Court vide Crl. MC No. 2923/2025 tilted as Seema Mutneja Vs. CBI vide order dated 07.05.2025 was pleased to pass the following order :-

“3. At the outset, Mr. D.S. Kohli, counsel for the petitioners points out that the document D-60, was not part of the charge and therefore, at this juncture, when the matter is listed for final arguments, the prosecution could not be permitted to introduce the document. As regards the second document i.e. D-61, it is argued that the said document is entirely irrelevant to the case. However, without prejudice to petitioner's rights and contentions, Mr. Kohli states on instructions that in order to avoid any further delay in proceedings, the petitioner admits the genuineness of the said document and therefore the same may be read in evidence.

4. Mr. Ripudaman Bhardwaj, SPP for CBI, states on instructions that the CBI is not insisting upon the production or reliance on the

document D-60. His statement is taken on record.

5. It is not in dispute that the statement of Mr. Chaudhary, was to be recorded only in the context of aforementioned documents. In light of the aforementioned concession made by the petitioner, since document D-61 shall now be read in evidence, in the opinion of the court, examination of Mr. Hemant Chaudhary to prove the said document, is no longer necessary.

6. With the above clarity, no further directions are required to be passed in the present petition. The impugned directions stands modified in light of the aforementioned observations.”

2. In view of the observations as extracted above, the document marked as D-61 is given as exhibit mark **Ex.C-1** and thus, there is no necessity to examine Shri Hemant Chaudhary and the document i.e. D-61 (Ex.C-1) shall be read in evidence. Accordingly, Shri Hemant Chaudhary is dropped from the list of the witnesses.

3. Summon sent to Hemant Chaudhary is received back unserved with the report that he was not found available as the address mentioned in the summon did not exist. Even otherwise, in view of the observation as made above, no further orders are required in respect of Shri Hemant Chaudhary.

4. Put up on **27.05.2025** for further proceedings/arguments.

(HASAN ANZAR)
Special Judge (PC Act) CBI-03,
RADC/New Delhi/08.05.2025