

I.A. No. 13/2024
CNR No. DLCT11-000603-2022
RC No. 223/2021/A0005/CBI/ACU-V/New Delhi
CBI Case no. 51/2022
CBI Vs. M/s OBPL & Ors.

20.11.2024

Present : Sh. K.K. Sahu, Ld. Substitute Public Prosecutor for
CBI along with HIO/SI Akhil Kumar Yadav.
Sh. Rajat Katyal, Ld. Counsel for applicant/accused.

1. This is an application filed on behalf of Rajendra Kumar Mangal (A-7) seeking release of keys of the bank locker as seized by the CBI during search and seizure operation conducted at his residence vide seizure memo dated 05.06.2021 and permission to operate the locker.
2. Reply to the application was filed by the CBI.
3. Arguments were heard. I have perused the record.
4. Ld. Counsel for the applicant/accused had argued that the applicant was one of the Directors of Oyster Buildwell Private Limited i.e., Accused No.1 in the present case. It is further submitted that the accused firm has been wrongly implicated in the present case on the basis of false and fabricated allegations and the applicant has been named as one of the accused persons in the supplementary charge-sheet. It is further submitted that during the course of investigation in the present case, CBI conducted search and seizure operation on 05.06.2021, including the residence of the applicant, being Flat No.402, Mariners Home Plot No. 36D, Sector-56, Gurugram-122011, Haryana and seized one locker key bearing locker No.277 (Key No. 312) and another

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small key, which is used as an extra lock of the locker to the applicant's bank locker, which is maintained at HDFC Bank, Sector-56, Gurugram, Haryana. Ld. Counsel for the applicant has contended that the description of the said seizure is shown at Serial No.25 of the seizure memo. After the seizure, CBI opened the said locker, however, nothing objectionable was found except the jewellery articles of wife of the applicant. He has submitted that thereafter, no proceeding in relation to the bank locker or its contents was carried out by CBI, to the knowledge of the applicant and even the same does not even form part of the investigation/charge-sheet. The investigation in the present matter is complete. Ld. Counsel has submitted that because of the said seizure, the applicant has been unable to access his locker for more than three years now and consequently the articles in the said locker are also not accessible to the applicant and his family members, which is causing severe hardship.

5. Ld. Counsel for applicant has prayed that the abovesaid keys of the applicant's bank locker be released and the operation of the said bank locker may be allowed.
6. It was argued by Ld. PP for CBI that applicant is involved in the present case as an accused and the charge-sheet has been filed against him. Ld. Accused was the Director of Oyster Buildwell Pvt. Ltd. He has further argued that CBI, vide search list dated 05.06.2021, has seized one locker key bearing locker No.277 (Key No.312) maintained at HDFC Bank, Sector-56, Gurugram, Haryana. He argued that CBI vide memorandum of proceedings

pertaining to locker operation dated 11.04.2022 operated the locker of Sh. Rajendra Kumar Mangal and nothing incriminating related to the instant case was found in the bank locker of Sh. Rajendra Kumar Mangal, therefore, the same has not been relied upon.

7. Ld. PP for CBI has submitted that he has no objection if the said application is allowed.
8. Considering the facts, submissions of Ld. Counsel for applicant and the stand of prosecution in not opposing the application for release of keys of the bank locker seized by them and to operate the locker, the application filed on behalf of Rajendra Kumar Mangal (A-7) is allowed.
9. Application is accordingly disposed off.
10. Copy of this order be given dasti to Ld. Counsel for applicant as well as to Ld. Public Prosecutor for CBI.

(Amitabh Rawat)
Special Judge (PC Act) CBI-14
Rouse Avenue District Court
New Delhi : 20.11.2024