

CBI/229/2019  
CNR No. DLCT11-000901-2019  
RC No. 18(E)/2013/CBI/EOU-IV/EO-II/ND  
CBI v. Brij Bhan Singh and Ors.

06.04.2026

(Present proceedings have been conducted on hybrid mode).

Pr : Sh. Raj Kamal, Learned PP for CBI.  
A-3 Rita Verma and A-4 Neeraj Kumar Garg, both through VC.  
Ms. Priti Verma, Ld. Counsel for A-3, physically present.  
Mr. Nandeesh Nanda, Proxy Counsel for A-4, through VC.

1. Arguments on the application dt. 12.02.2026 of A-4 Neeraj Garg under section 91 CrPC already heard. Record perused.
2. This is a case under section 120B of IPC read with sections 420, 467, 468, 471 of IPC and section 13(2) of PC Act read with section 13(1)(d) of PC Act and the substantive offences thereof. Charges against the accused persons were framed on 28.02.2020 and the matter then proceeded to the stage of prosecution evidence. In prosecution evidence, an handwriting expert (PW65 Dr. Reeta Rani Gupta from CFSL, Delhi) entered the witness box on 27.01.2026 and thereafter on 12.02.2026. After the conclusion of her examination-in-chief on 12.02.2026 her cross-examination was deferred as the instant application came to be filed by A-4 Neeraj Garg.
3. It has come out in the examination-in-chief of the handwriting expert (PW65 Dr. Reeta Rani Gupta from CFSL, Delhi) that on comparison of the questioned writings/signatures with the admitted/standard writings/signatures, the former is

attributable to A-4 Neeraj Garg. In this regard, handwriting expert (PW65 Dr. Reeta Rani Gupta from CFSL, Delhi) relied on her handwriting examination reports dt. 10.11.2017 (Ex.PW65/A) and dt. 30.10.2017 (Ex.PW65/C).

4. It is the assertion of A-4 Neeraj Garg in his application that a bare reading of the handwriting reports make it clear that the handwriting expert (PW65 Dr. Reeta Rani Gupta from CFSL, Delhi) relied upon detailed comparison methodology and claims to have analysed minute writing characteristics and inconspicuous features. It is averred that such an opinion *necessarily implies* that the expert (PW65) undertook detailed scientific examination by using tools and techniques, preparation of comparison chart, marking of similarities and differences, and recording of detailed observations in the form of worksheets. A-4 Neeraj Garg thus claims that besides the CFSL reports, copy whereof already stand supplied, he is entitled to have a copy of the worksheets/comparison sheet/internal working record prepared and relied upon by the expert (PW65) while reaching her opinion against A-4 Neeraj Garg. It is stated that for effective cross-examination of the handwriting expert (PW65 Dr. Reeta Rani Gupta from CFSL, Delhi) the defence must have a copy of the same.

5. CBI in its reply dt. 27.02.2026 has vehemently opposed this application. It is stated that CBI does not have the worksheets/comparison sheet/internal working record of the expert and as such it is in no position to supply the same; that this application is an endeavour on the part of A-4 Neeraj Garg to

protract the trial of this case. CBI seeks dismissal of this application.

6. Ld. Counsel(s) for A-4 Neeraj Garg argued that without access to the worksheets, A-4 Neeraj Garg would be deprived of the opportunity to verify the methodology adopted by the expert, the actual basis of the conclusion, and the manner in which the similarities/ differences were marked and evaluated. In support of this argument, the following two judgments were relied upon: (a) Pravinkumar Lalchand Shah v. The State of Gujarat & Anr., 1981 SCC OnLine Guj 84, and (b) Pawan Duggal v. State, 2001 (59) DRJ 645.

7. Ld. PP for CBI argued that CBI was not in power and possession of the worksheets/comparison sheets/internal working record of the CFSL expert and as such the prosecution is under no duty to supply the same to the applicant; that the CFSL expert has already set out the reasons in the forensic report(s) for the conclusions so arrived at therein; that in any event, the relief prayed for in the application is not covered within the ambit of section 91 CrPC.

8. In rebuttal, it was argued on behalf of A-4 Neeraj Garg that the contentions raised on behalf of CBI are meritless. It was urged that the very same contentions, as is being raised on behalf of CBI in the instant case, had been raised in the case of Pravinkumar Lalchand Shah (*supra*). It was urged that following the dictum of Pravinkumar Lalchand Shah (*supra*) and Pawan Duggal (*supra*) the worksheets/comparison sheet/internal working record of the handwriting expert (PW65 Dr. Reeta Rani

Gupta from CFSL, Delhi) must be supplied for her effective cross-examination.

9. Having heard the submissions and perused the record, this Court is not inclined to allow this application. It is the view of this Court that this application is rather premature. A-4 Neeraj Garg filed this application on his supposition that the fact that the expert gave her opinions, *necessarily implies* that she undertook detailed scientific examination by using tools and techniques, preparation of comparison chart, marking of similarities and differences, and recording of detailed observations in the form of worksheets. I see no reason to arrive at any such *necessary implication*. It is for the witness (PW65) to state in her evidence as to whether she had actually prepared any worksheet / comparison sheet/internal working record or not. This Court cannot proceed on the basis of mere assumptions or conjectures, but must rely on clear statement either in the chargesheet or in the evidence of the witness (PW65) herself that such worksheet/comparison sheet/internal working record had indeed been prepared.

10. It is pertinent to mention here that on 12.02.2026 on a Court query the expert (PW65) had stated that *rough notes* were prepared, and this is so noted in the order dt. 12.02.2026 in the following words, “*At this stage, on a Court query, PW65 Dr. Reeta Rani Gupta states that rough notes were prepared however, the examination is done on the basis of the original documents.*” The moot point however is whether such *rough notes* actually exist as on date or not. The two handwriting reports Ex. PW65A

and Ex.PW65/C are dated 10.11.2017 and 30.10.2017 respectively. It is unknown whether such *rough notes* indeed exist either with the expert (PW65) or with the CFSL even as on date after eight long years.

11. To sum up, it would, in essence, fall upon the witness (PW65) to state whether such worksheet/comparison sheet / internal working record or *rough notes* exist or do not exist. This is because determination of this fact lies within the own knowledge and purview of the witness (PW65). This Court cannot presume the existence of the document(s), sought for by A-4 Neeraj Garg, or the absence thereof without the affirmation or denial thereof by the witness (PW65).

12. In view of the above, this application of A-4 Neeraj Garg under section 91 CrPC is hereby dismissed.

13. Issue summons to PW65 Dr. Reeta Rani Gupta for her deferred cross-examination.

14. List for PE on 25.04.2026.

(M. P. Singh)  
Special Judge (PC Act) CBI-02  
RACC/New Delhi/06.04.2026