

C No. 134/24
CBI Vs. Sanjay Pratap Singh.
RC No. DAI-2015-A-0043/CBI/ACB/New Delhi
CNR No. DLCT11-000146-2024

29.11.2024

Present: Sh. Avanish Kumar Chand , Ld. Public Prosecutors for CBI.
IO/ Insp. Ravinder Bharti in person.

1. This is a fresh charge-sheet in respect of case FIR bearing RC No.DAI-2015-A-0043 dated 30.12.2015 registered under Section 109 of the Indian Penal Code (IPC) read with Section Section 13 (1)(e) read with Section 13 (2) of the Prevention of Corruption Act (PC Act), 1988. The charge-sheet has been filed (without arrest) against four (04) accused persons;
 - i. Sanjay Pratap Singh (A-1)
 - ii. Aparna Singh (A-2)
 - iii. Ajay Kumar (A-3)
 - iv. M/s Ultra Home Constructions Private Limited (A-4)

2. A-1 Sanjay Pratap Singh is stated to be an officer of Indian Administrative Services (IAS). It has been disclosed that A-1 joined the service in the year 1984 and worked in various capacities on different posts. A-2 Aparna Singh is the wife of A-1. It has been alleged that their marriage was solemnized in the year 1987 and three children were born out of the wedlock.

3. It is the case of prosecution that A-1 was caught red-handed while demanding and accepting illegal gratification of Rs.2.20 lac. In respect of this incident, a case FIR No.RC-41(A)/2015, CBI, ACB, Delhi was registered. During the course of investigation of this case, searches were carried out at the residential premises of A-1 and various documents relating to immovable properties, bank lockers, FDRs and other bank accounts were recovered and it was suspected that he was possessing properties disproportionate to his known source of income. In the said background, the present FIR came to be registered on the basis of a written complaint dated 30.12.2015 filed by Sh. Pramod Kumar, Inspector (CBI), ACB, Delhi.

4. The allegations against A-1 are that he committed criminal misconduct as defined under Section 13(1)(e) of the PC Act by acquiring and possessing properties disproportionate to his known sources of income. These properties are stated to have been acquired by him in his personal capacity as well as the capacity of a Hindu Undivided Family (HUF). It has been stated that it was found that A-1 was holding bank accounts in his individual name as well as in the joint name with his wife Aparna Singh (A-2). Besides this, a cash amount of Rs.37,42,000/- (Rupees Thirty-Seven Lac and Forty-Two Thousand only), gold bars, gold coins & jewelry were recovered from different bank lockers maintained in the name of A-1 & A-2. Scrutiny of the assets of A-1 was carried out with the check-in period from

26.08.1984 to 12.12.2015. It has been alleged that the scrutiny of the assets revealed that A-1 had accumulated disproportionate assets to the tune of Rs.7,30,82,474/- (Rupees Seven Crore Thirty Lac Eighty-Two Thousand Four Hundred and Seventy-Four only) during the check-in period. The statements of the assets owned by A-1 in his personal capacity and in the capacity of an HUF as well as the statement of assets of A-2 was prepared and the same has been incorporated in the charge-sheet as 'Statement-B'. The statement containing the details of the income of A-1 & A-2 has been incorporated in the charge-sheet as 'Statement-C' while the statement of expenditure is 'Statement-D'. It has been alleged that it was found on analyzing the details contained in these statements that A-1 was possessing properties disproportionate to his known source of income.

5. The allegations against A-2 are that she abetted her husband in committing criminal misconduct by holding properties valued more than his known source of income. It has been stated that A-2 worked as a Counselor in schools and she was also the sole proprietor of a firm named M/s Avantika Enterprises. It has been alleged that she was found holding various movable & immovable properties, the details whereof have been disclosed in the charge-sheet.
6. A-3 Ajay Kumar is stated to be the Director of M/s Ultra Home Constructions Private Limited. A-4 is M/s Ultra Home Constructions

Private Limited (Amrapali Group). The allegations against them are that they aided and abetted the commission of the offence under Section 13 (2) read with Section 13 (1) (e) of the PC Act. It has been stated that during the course of investigation, A-3 produced copies of extracts of ledger to show the investment made by A-1 & A-2 in Amrapali Group of Company. Transactions made by A-1 (in his individual capacity and as an HUF) as well as the one made by A-2 and her proprietorship concern M/s Avantaka Enterprises, were analyzed. It revealed that A-1 had invested a sum of Rs.90,61,000/- from 06.06.2003 to 23.12.2004 in three companies of Amrapali Group and got a cash return of Rs.98,61,000/- thereby earning a net income of Rs.8,00,000/- from interest. It further revealed that M/s Avantaki Enterprises invested a sum of Rs.52,00,000/- from 05.08.2003 to 27.12.2005 in three companies of Amrapali Group and secured a cash return of Rs.61,86,623/- thereby earning a net income of Rs.9,86,623/- from interest. Discrepancies were noticed in the ledger accounts. It has been alleged that entries were manipulated in the ledger accounts for inflating the income of A-1 & A-2 and justifying the purchase of two flats bearing No.B-301 and B-303 in apartments named Amrapali Exotica. It has been stated that the ledger accounts revealed that inflated figures of balance outstanding were shown in the accounts of A-1 & A-2 and the accounts also contained various other discrepancies. The details of the discrepancies have been highlighted in the charge-sheet.

7. The charge-sheet has been filed along with documents (D-1 to D-312) and statement of 224 witnesses recorded under Section 161 of Cr.P.C. It also contains a list of witnesses whose statements were not recorded during the course of investigation. It has been disclosed that A-1 has been prematurely retired from service vide DoPT order No.25013/01/2016-AIS.II dated 17.01.2018. Since, he was a public servant, therefore, the requisite sanction was obtained under Section 19 of the PC Act. The sanction under Section 19 of the PC Act accorded by Sh. Piyush Mohanta, Under Secretary to the Government of India vide order dated 23.09.2024 is on record.

8. I have perused the documents as well as the statement of witnesses in the light of allegations contained in the charge-sheet. There is material on record to demonstrate that A-1 & A-2 were holding various bank lockers and bank accounts in joint name. It has been stated that A-2 made investments of funds by buying the same in the name of A-1. The details of the investments have been disclosed in the list of assets of A-2. It has been disclosed that A-1 & A-2 booked a flat in Unitech Habitat, Plot No.9, Sector-P-I-II, Greater Noida but subsequently, the name of A-1 was removed. The payment of the flat was made from the accounts of A-1 individually & A-2 in the capacity of HUF. The statement of assets shows that A-1 acquired a Flat No.B-301, Amrapali Exotica, Sector-50, Noid in the year 2011 and Flat No.C-12, Oasis

CGHS Limited, Sector-55, Gurgaon (Haryana) in the year 2012. Besides this, large amount of cash, foreign currency, gold bars and gold coins were found in the bank lockers maintained in the joint name of A- & A-2. In addition to this, various investments were found to have been made by A-1 in his personal capacity as well as in the capacity of an HUF. The statement of the assets further reflects that A-2 acquired various immovable properties in the check-in period, the details disclosed in the chargesheet are; (a) Plot No.4/374 in Vaishali, Ghaziabad in the name of the proprietorship concern of A-2, acquired in the year 2005; (b) Plot No.III-A/303, Vaishali, Ghaziabad in the name of her proprietorship concern in the year 2006; (c) Flat No.E-601, Pearl Gateway Towers, Plot No.D-8-A, Sector-44, Noida in her personal name in the year 2010; (d) Flat No.B-303, E-8, Amrapali Exotica, Sector-50, Noida in the year 2011; (e) Flat No.0801, Tower-6, Unitech Heights, Greater Noida in the year 2011; (f) Flat No.0403, Tower-4, Unitech Habitat, Greater Noida in the year 2009; and (g) Flat No.312, CGHS, Plot No.73, Sector-55, Gurugram in the year 2005. Besides these immovable properties, various investments also found to have been made by A-2, details whereof have been given in the statement of assets.

9. I am of the considered opinion that the detailed investigation carried out on the assets, income and expenditure of A-1 & A-2, read in the light of the documents and the statements of witnesses prima-facie

demonstrate the commission of offence punishable under Section 13(2) read with Section 13(1)(e) of the PC Act, 1988. There is material on record to indicate that A-2, A-3 & A-4 abetted the commission of the said offence. Record also prima-facie indicates the commission of offences punishable under Section 109 of the Indian Penal Code read with Section 13(2) read with Section 13(1)(e) of the PC Act, 1988. I take cognizance of these offences.

10. Issue summons to A-1 to A-4 for 16.12.2024. It has been disclosed in the charge-sheet that A-3 is presently detained in custody in Tihar Jail, Mandoli, Delhi. Service of the summon shall be effected upon him through the concerned Jail Superintendent.

(Sudhanshu Kaushik)
Special Judge (PC Act)/CBI-11,
Rouse Avenue Courts, Delhi
29.11.2024