

CBI/134/24  
CNR No. DLCT11-000146-2024  
RC No. DAI-2015-A0043/CBI/ACB/New Delhi  
CBI v. Sanjay Pratap Singh & Ors.

17.01.2026

Present: Sh. Raj Kamal, Learned PP for CBI.  
IO/Inspector Ravinder Kumar Bharti, physically present.  
**A-1** Sanjay Pratap Singh, **A-2** Ms. Aparna Singh and **A-3** Ajay Kumar, through VC.  
None for **A-4** M/s Ultra Home Construction Pvt. Ltd., Mr. Debopriyo Moulik, Ld. Counsel for **A-1** and **A-2**, through VC.  
Mr. Abhay Tripathi, Ld. Counsel for **A-3**, through VC.

1. Arguments on multiple applications under section 207 of CrPC / section 230 of BNSS of A-1 Sanjay Pratap Singh and A-2 Aparna Singh were heard on 13.12.2025. Record perused. Details of the said applications are as under:

Sr. No.	Date of the application	Applicant	Remarks
1.	01.05.25	A-1 Sanjay Pratap Singh	--
2.	20.09.25	A-1 Sanjay Pratap Singh	--
3.	20.09.25	A-2 Aparna Singh	<i>Disposed of on the date of the arguments itself i.e. 13.12.2025</i>
4.	27.10.25	A-1 Sanjay Pratap Singh	--
5.	27.10.25	A-2 Aparna Singh	--

2. Besides the above, it may be noted that there were two other applications under section 207 CrPC (section 230 BNSS), one dt. 06.02.2025 and the other dt. 20.03.2025 of A-1 Sanjay Pratap Singh. These two applications of A-1 Sanjay Pratap Singh were

disposed of on 06.02.2025 and 21.03.2025 respectively. That apart, there was another application dt. 21.03.2025 of A-3 Ajay Kumar under section 207 of CrPC which came to be disposed of on that day itself.

3. The very first application dt. 01.05.2025 of A-1 Sanjay Pratap Singh under section 207 CrPC for supply of documents is being taken up for disposal. By way of this application, A-1 Sanjay Pratap Singh had sought supply of as many as 21 documents. However, during the course of proceedings in this case, all the documents as sought for therein were furnished, except for three. With regard to the remaining three (03) documents, the CBI has raised a contest to their supply to the accused, essentially on the ground that the said documents neither form part of the relied upon documents nor the unrelieved upon documents. The said three (03) contentious documents, as set out in the application, are detailed hereunder:

<b>Sr. No.</b>	<b>Description of documents</b>	<b>Status</b>
1.	Ministry of Home Affairs Letter No.14033/ 02/2021. UTS-I dated 12.07.2024.	As per the IO, this document is neither part of relied or unrelieved upon documents.
2.	Amended / Corrected Copy of Sanction Order dated 22.05.2023.	As per the IO, this document is neither part of relied or unrelieved upon documents.
3.	Sanction Order dated 22.05.2023.	As per the IO, this document is neither part of relied or unrelieved upon documents.

4. CBI opted not to file reply to the aforesaid application dt. 01.05.2025 of A-1 Sanjay Pratap Singh.

5. Before taking note of the arguments raised by the prosecution and the accused in relation to the application dt.

01.05.2025 of A-1 Sanjay Pratap Singh, it is necessary to set out some relevant facts.

6. This is a case under section 109 of IPC read with sections 13 (2) and 13 (1) (e) of Prevention of Corruption Act, 1988 (as it stood on the statute book before its amendment in July 2018.). The allegation is that A-1 Sanjay Pratap Singh, a public servant, had acquired assets disproportionate to his known sources of income. It is also the allegation that his wife A-2 Aparna Singh, A-3 Ajay Kumar and A-4 M/s Ultra Home Constructions Pvt. Ltd. had abetted the commission of the said offence by A-1 Sanjay Pratap Singh.

7. CBI is prosecuting the public servant A-1 Sanjay Pratap Singh on the strength of a sanction order dt. 23.09.2024 of the Government of India under section 19 of the Prevention of Corruption Act, 1988 issued under the signatures of one Pijush Mohanta, Under Secretary, DoP&T<sup>1</sup>. The said sanction order dt. 23.09.2024 was dispatched to CBI together with a covering letter dt. 14.10.2024 of the Ministry of Home Affairs (MHA) addressed to CBI and a letter dt. 23.09.2024 of Pijush Mohanta addressed to the Joint Secretary, MHA, Delhi. The MHA covering letter dt. 14.10.2024 addressed to CBI at its bottom notes something of considerable relevance and pertinence, and which is:

**“It is further informed that Sanction order dated 22.05.2023 issued by DoP&T earlier in the matter stands withdrawn.”**

8. To similar effect is the letter dt. 23.09.2024 of Pijush Mohanta addressed to the Joint Secretary, MHA, Delhi and which,

---

<sup>1</sup> DoP&T is an acronym for Department of Personnel and Training.

*inter alia*, writes:

**“I am directed to refer to Ministry of Home Affairs (MHA) letter No. 14033/02/2021.UTS-I dated 12.07.2024 on the above-mentioned subject seeking amended/ corrected copy of the sanction order dated 22.05.2023.**

**2. Two copies of fresh/corrected formal sanction order dated 23.09.2024 issued in this regard after due and careful consideration of the facts of the case by the Competent Authority and thereafter, as approved by the Competent Authority, are enclosed for taking further necessary action. The sanction order dated 22.05.2023 stands withdrawn after issue of the instant sanction order dated 23.09.2024.”**

9. It is in this background that A-1 Sanjay Pratap Singh seeks copy of the withdrawn sanction order dt. 22.05.2023. That apart, he also seeks copy of letter no. 14033/02/2021.UTS-I dt. 12.07.2024 of the MHA apparently written to the DoP&T.

10. During the course of arguments, IO Inspector Ravinder Kumar Bharti had orally stated that the sanction order dt. 22.05.2023 was withdrawn as there were some inadvertent typographical errors therein; that the said withdrawn sanction order dt. 22.05.2023 is no part of either the relied or the unrelieved upon documents, though its copy is available in CBI's police file.

11. As regards the MHA letter no.14033/02/2021.UTS-I dt. 12.07.2024 apparently written to DoP&T, IO Inspector Ravinder Kumar Bharti had orally stated that it was an inter-departmental communication between two Departments/Ministries; that this letter is *no* part of either the relied or the unrelieved upon documents; that this letter was never collected during the investigation, and that CBI is not in its possession or control. He had further stated that in any event, this letter was not addressed to CBI and as such he is in

no position to supply copy thereof.

12. In his oral arguments, Ld. PP for CBI submitted that the said three documents cannot be supplied to the accused for the very simple reason that it is neither part of the relied or the unrelieved documents. In this regard, he invited attention to the language of section 207 of CrPC to contend that the prosecution is under an obligation to supply copy of *only* those documents which are relied upon and forwarded to the Court along with the police report under section 173 (5) of CrPC. As regards the unrelieved upon documents, his submission was that in terms of the judgment of CBI v. INX Media Pvt. Ltd. & Ors., 2021 SCC OnLine Del 4932<sup>2</sup> the prosecution is required to supply only a list thereof. He further stated that an inter-ministerial communication is not within CBI's power and possession and as such the CBI is in no position to supply copy of the MHA letter no. No. 14033/02/2021.UTS-I dt. 12.07.2024. On this basis, he prayed for dismissal of the said application dt. 01.05.2025 of A-1 Sanjay Pratap Singh.

13. On the other hand, learned counsels of A-1 Sanjay Pratap Singh argued in support of the application dt. 01.05.2025. Relying on the report of Sakiri Vasu v. State of U.P. & Ors., (2008) 2 SCC 409, it was their submission that power conferred on an authority to do something includes such incidental or implied powers which would ensure the proper doing of that case. They relied on V. K. Sasikala v. State, (2012) 9 SCC 771 to contend that there are inbuilt provisions in CrPC to ensure that investigation of a criminal offence is conducted Shashi Bala ed keeping in mind accused's right

---

<sup>2</sup> This Delhi High Court judgment came to be affirmed by the Apex Court in SLP (Crl.) No. 1274/2022 titled 'CBI v. INX Media Pvt. Ltd. & Ors.' vide Order dt. 18.07.2023.

to a fair process of investigation; that Public Prosecutor's duty extends to ensuring fairness in the proceedings and also to ensure that all relevant facts and circumstances are brought to Court's notice for a just determination of the truth so that due justice prevail; that a duty is cast on the prosecution to make a fair disclosure to the Court, which necessarily includes the furnishing of any document relied upon by the prosecution, irrespective of whether such document has been filed before the Court; that one of the established facets of a just, fair and transparent investigation is an accused's right to ask for all such documents that he may be entitled to under the scheme contemplated under the CrPC; that even where a document is not relied upon by the prosecution, but if it is sought by the accused for the purpose of establishing his defence, he is entitled to be furnished with the same; that a document collected during investigation, which has a bearing on the discovery of the truth, must be disclosed to the accused; that section 207 of CrPC has to be given a liber Shashi Bala al and relevant meaning so as to achieve its object; that the documents submitted to the Court along with the report under section 173 (5) of CrPC would deem to include the documents which have to be sent to the Court during the course of investigation as per the requirement of section 170 (2) of CrPC. Relying on Ashutosh Verma v. CBI, 2014 SCC OnLine Del 6931, they contended that all evidence collected during the course of investigation, including material favourable to the accused, must be furnished to him under section 207 of CrPC, failing which his defence may be impaired and he may be prevented from effectively defending himself. They referred to Shashi Bala v. State Govt. of NCT of Delhi & Ors.,

2016 SCC OnLine Del 3791 to urge that prosecution is bound to supply copy of all the documents collected during the investigation. Reliance was placed on the report of Criminal Trial Guidelines regarding Inadequacies and Deficiencies, in Re, v. State of Andhra Pradesh & Ors., (2021) 10 SCC 598 to urge that prosecution's obligation is to supply list of all the materials seized during investigation, but not relied upon by the prosecution. Delhi High Court report of INX Media Pvt. Ltd. & Ors. (*supra*)<sup>3</sup> was relied upon to contend that list of the material collected during the investigation, but not relied upon by the prosecution, ought to be supplied to the accused and the accused can then very well inspect the same. S. P. Velumani v. Arappor Iyakkam & Ors., (2022) 12 SCC 745 was pressed into service to urge that mandate of section 207 of CrPC cannot be read as a provision etched in stone to cause serious violation of rights of an accused as well as to the principles of natural justice, and that prosecution ought to be carried out in a manner consistent with right of fair trial as enshrined under Article 21 of Constitution of India. Waheed-Ur-Rehman Parra v. Union of Territory of Jammu & Kashmir, (2022) 12 SCC 240 was relied upon to submit that in order to plead an appropriate defence there must be full disclosure of the material collected by the prosecution. Reliance Industries v. SEBI, (2022) 10 SCC 181 was pressed into service to argue that prosecution must act fairly and the accused cannot be condemned without giving an adequate opportunity to defend himself; that such adequate opportunity to defend is premised on the principle that there ought to be full disclosure of the material that is filed in the Court; that even for the purposes of

---

<sup>3</sup> This Delhi High Court judgment came to be affirmed by the Apex Court in SLP (Crl.) No. 1274/2022 titled '*CBI v. INX Media Pvt. Ltd. & Ors.*' vide Order dt. 18.07.2023.

adjudication of condonation of delay under section 473 of CrPC there must be full disclosure of the criminal complaint and the annexures. In support of the arguments, they also relied on Manoj & Ors. v. State of Madhya Pradesh, (2023) 2 SCC 353 to urge that the prosecution cannot suppress any material collected during the investigation, and that provision of section 207 of CrPC has to be given liberal and relevant meaning so as to achieve its object. Arun Kumar Goenka v. CBI, 2024 SCC OnLine Del 310 was cited to point out that it is Court's duty to ensure that the list of prosecution's unrelayed upon material is complete. Chittaranjan Das v. State of Orissa, (2011) 7 SCC 167 was relied upon, wherein sanction to prosecute under the Prevention of Corruption Act, 1947 was refused during tenure of the public servant; nevertheless, a chargesheet with no sanction was filed after his superannuation. The Apex Court quashed the proceedings, holding that such a course would render the statutory protection afforded to a public servant illusory.

14. Court findings are as under.

15. At the outset, there is one aspect that may be taken note of. Cognizance of the offences in this matter was taken on 29.11.2024. The withdrawn sanction order is dated 22.05.2023 and in place thereof a new sanction order dt. 23.09.2024 under section 19 of the PC Act, 1988 was issued. This Court observes that in terms of section 21 of General Clauses Act, 1897 the authority granting sanction was well within its power to withdraw the sanction order dt. 22.05.2023 and issue a fresh one before the commencement of the judicial proceedings by way of taking cognizance of the offences.

16. A-1 Sanjay Pratap Singh seeks copy of ‘*amended/corrected copy of Sanction Order dated 22.05.2023*’ and ‘*Sanction Order dated 22.05.2023*’. It is this Court’s considered view that both documents are identical in substance and refer to the very same instrument, namely, the withdrawn sanction order dt. 22.05.2023. This is so, as the sanctioning authority could not have possibly issued two distinct sanction orders on the same date, i.e., 22.05.2023, first granting the sanction and thereafter issuing, on that very day, an amended or corrected version thereof. That apart, upon a careful examination of the relevant documents, it appears that, in all probability, *no* two separate sanction orders were ever issued on the same day, i.e., 22.05.2023. Indeed, during the course of arguments, learned counsels for A-1 Sanjay Pratap Singh had conceded that both documents were one and the same. Consequently, it is taken that when A-1 Sanjay Pratap Singh, by way of his application, seeks copy of the ‘*amended/corrected copy of Sanction Order dated 22.05.2023*’ and the ‘*Sanction Order dated 22.05.2023*’, he is essentially seeking copy of the withdrawn sanction order dt. 22.05.2023.

17. Next, in this case, there is absolutely no doubt that a sanction order under section 19 of the Prevention of Corruption Act, 1988 had been issued against A-1 Sanjay Pratap Singh on 22.05.2023. There is also no doubt that the said sanction order of 22.05.2023 had been given to the CBI, but it was later withdrawn. Given this, it goes without saying that the said sanction order of 22.05.2023 did in fact form part of the present case at the relevant point of time when it was under investigation. Consequently, it is certainly in the category of documents collected by CBI during investigation and

the CBI is duty bound to supply the same to A-1 Sanjay Pratap Singh.

18. In this regard, the Delhi High Court judgment of Shashi Bala (*supra*) would be instructive, and its factual matrix appears to be quite close to the issue at hand qua supply of copy of the withdrawn sanction order. This was a case under section 509 of IPC lodged by a school Vice-Principal. The IO therein during the course of investigation had collected certain documents (preliminary inquiry report, internal complaints, committee report, complainant's complaint dt. 05.07.2013 lodged with school management and statement of few witnesses), but did not forward the same to the Magistrate under section 173 (5) of CrPC. Nonetheless, the Trial Court directed that copies of those documents ought to be provided to the accused, by making good its supply from the police file. The High Court agreed with the said decision of the learned Trial Court and observed:

16. Relying upon this judgment<sup>4</sup>, in *Ashutosh Verma* (*supra*)<sup>5</sup>, this Court observed that the petitioner cannot be denied an access to the documents in respect of which prayers have been made in the petition merely because CBI does not consider it relevant. If there is a situation that arises wherein an accused seeks documents which support his case and do not support the case of the prosecution and the investigating officer ignores these documents and forward only those documents which favour the prosecution, in such a scenario, it would be the duty of investigating officer to make such documents available to the accused.

17. Reverting to the case in hand, accused persons called upon the Investigating Officer to supply documents/ statements as mentioned in the applications. In fact, in the charge-sheet also there was a reference that during the course of investigation, the

---

<sup>4</sup> Reference to '*this judgment*' is to the report of Sidhartha Vashisht @ Manu Sharma v. State (NCT of Delhi), (2010) 6 SCC 1.

<sup>5</sup> Ashutosh Verma v. CBI, 2014 SCC OnLine Del 6931

Investigating Officer had received the inquiry report etc. Under the circumstances, in order to do substantial justice to both the parties, the application moved by the respondent nos. 2 to 5 was allowed. The State has not challenged the impugned order meaning thereby it is not averse to supply the documents as ordered by the learned Trial Court.

18. In view of the foregoing discussion, the impugned order does not suffer from any infirmity which calls for any interference.

19. In S.P. Velumani (*supra*), while dealing with the necessity of document disclosure in cases where prosecuting authorities blow hot and cold, Apex Court held, “21. ....*The principles of natural justice demanded that the appellant be afforded an opportunity to defend his case on the material that exonerated him initially, which was originally accepted by the State.*” Further, in S.P. Velumani (*supra*) the Apex Court also emphasised that prosecution by the State ought to be carried out in a manner consistent with the right to fair trial, as enshrined under Article 21 of the Constitution.

20. The submission advanced on behalf of the prosecution is that the withdrawn sanction order dated 22.05.2023 merely contained typographical errors and that, therefore, nothing of substance turns upon the said document. This contention is wholly unavailing. It is neither for the prosecution nor for the Court to determine, at this stage, that a particular document is of no consequence to the defence and, on that premise, to deny or withhold the supply of its copy to them. It lies wholly within the exclusive domain of the defence to assess for itself how, and in what manner, any document may be of assistance to it, and it is neither the role nor the prerogative of the prosecution to guide, advise, or dictate to the defence in this regard.

21. This Court is of the view that in order to ensure transparency

and fair trial, copy of the withdrawn sanction order dt. 22.05.2023, which was collected by the CBI at the time of investigation, ought to be supplied to the defence. Opaqueness, which is antithetical to transparency, on this count would amount to propagating prejudice.

22. Needless to state, the withdrawn sanction order dt. 22.05.2023 is no privileged document of the State.

23. Apart from the above, it is my view that *de hors* the aspect of the accused invoking section 207 of CrPC to seek copy of the withdrawn sanction order dt. 22.05.2023, this Court is well within its domain to call for its copy to satisfy for itself as to what exactly was it that had persuaded the competent authority to withdraw the sanction order and issue a fresh one. *De hors* the rights of the accused that may flow from the provisions of CrPC/BNSS, this Court is fully empowered to independently assess for itself about the contents of the withdrawn sanction order dt. 22.05.2023 and to assess therefrom as to whether there indeed were typographical error(s) as is sought to be put forth before this Court by the prosecution.

24. In view of the above, it is this Court's view that copy of the withdrawn sanction order dt. 22.05.2023 ought to be placed on the judicial record and a copy thereof be supplied to Sanjay Pratap Singh (A-1).

25. This leaves us with the document which is letter no. 14033/02/2021.UTS-I dt. 12.07.2024 of Ministry of Home Affairs. It is an admitted position that this document was never collected or seized by the IO at the stage of investigation. Neither did the IO receive this document from any quarter at any point of time during

the course of investigation. In other words, the IO never got to lay his hands on this document which is in the nature of an inter-departmental communication between two Departments/Ministries of the Union of India. The CBI never made any request to the concerned Ministry/Department to furnish to it copy of the said inter-departmental communication. To put it in simpler terms, this letter never formed part of the investigation case file of the CBI. And also it never formed part of either the relied upon or the unrelieved upon documents.

26. Given the above, when the IO/CBI had nothing to do with this document/letter and never laid their hands on it, I doubt if copy of the same can be supplied to A-1 Sanjay Pratap Singh.

27. None of the judgments relied upon by learned counsels for Sanjay Pratap Singh (A-1) support the proposition as sought to be advanced by them qua this inter-departmental communication. Sakiri Vasu (*supra*) does not at all concern supply of documents under section 207 of CrPC. The doctrine of implied powers that was adverted to in Sakiri Vasu (*supra*) will not, to my mind, take within its sweep doing of something that simply cannot be permitted under the extant law. In V. K. Sasikala (*supra*) the factual matrix was somewhat different; out of the unrelieved upon documents, forwarded to the Court under section 173 (5) of CrPC, the defence had sought for certified copies, or in the alternative for inspection, of certain unmarked and unexhibited documents in Court's custody in order to prepare for the defence evidence. The Apex Court held that such documents ought to have been given to the accused. Such a circumstance does not apply here. The said letter no. 14033/02/2021.UTS-I dt. 12.07.2024 of MHA not only

forms *no* part of the relied or the unrelayed upon documents, but the same never ever came into the hands of the IO/CBI at any point of time during the course of investigation. In fact in V. K. Sasikala (*supra*) there is an observation to the following effect, “*What would happen in a situation where such documents are not forwarded by the investigating officer to the Court is a question that does not arise in the present case.*” In Ashutosh Verma (*supra*) the question was whether the prosecution ought to supply statements of *all* the witnesses that were examined under section 161 CrPC. The Trial Court declined to provide copies of statements under section 161 CrPC of few witnesses that were not forwarded to the Court on the premise that they were not relied upon documents. The Hon’ble High Court of Delhi was of the view that copies of statements of *all* the witnesses examined under section 161 CrPC ought to be supplied to the defence, irrespective of whether they support the prosecution or favour the accused. The same is not the factual scenario in the instant case. Shashi Bala (*supra*) is also of no help to the defence. As already stated hereinabove (in paragraph no. 18) this was a case under section 509 of IPC lodged by a school Vice-Principal, and the IO therein during the course of investigation had collected certain documents (preliminary inquiry report, internal complaints, committee report, complainant’s complaint dt. 05.07.2013 lodged with school management and statement of few witnesses), but did not forward the same to the Magistrate under section 173 (5) of CrPC. Nonetheless, the Trial Court directed that copies of those documents ought to be provided to the accused, by making good its supply from the police file. The Hon’ble Delhi High Court agreed

with this decision of the learned Trial Court. Such is certainly not the case here. Unlike Shashi Bala (*supra*), the Ministry of Home Affairs (MHA) letter no. 14033/02/2021.UTS-I dated 12.07.2024 was never collected or seized by the IO/CBI at any stage of investigation. Criminal Trial Guidelines regarding Inadequacies and Deficiencies, in Re (*supra*) is of no assistance to the defence. This judgment nowhere states that a document to which the IO never laid his hands on, copy thereof ought to be provided to the accused. INX Media Pvt. Ltd. (*supra*) too is of no help to the defence. This judgment nowhere lays down that the accused can demand copy of a document that never ever came into the hands of the Investigating Officer. In S. P. Velumani (*supra*) during the course of hearing of a writ petition, directions were issued for inquiry by a Senior Level Officer who submitted her preliminary inquiry report to a department which was then submitted before the High Court in a sealed cover. In the meantime, the State Government decided to close the case based on the preliminary inquiry report. Even while the writ petition was *sub judice*, the political dispensation of the State changed and in a turn of events a new State Government went back on their earlier stand to close the case and instead intended to conduct investigation. FIR was then registered. An application was then filed before the High Court in the writ petition for the copy of the preliminary inquiry report and the associated documents. This application was turned down by the High Court. The Apex Court allowed the appeal and held that copy of the preliminary inquiry report and the associated documents ought to have been supplied and there was no merit in the contention of the State that the said documents could be accessed

only after cognizance was taken and in terms of the provision of section 207 CrPC. This certainly is not the case over here. In the present case, the IO never ever seized or collected or laid his hands on the letter no. 14033/02/2021.UTS-I dt. 12.07.2024 of the MHA. Waheed-Ur-Rehman Parra (*supra*) was the case under Unlawful Activities (Prevention) Act, 1967 and question was whether redacted statements of protected witnesses could be supplied to the defence, despite the fact that such statements had earlier been directed to be kept in a sealed cover. The Apex Court held that there was nothing wrong in supplying redacted statements of the protected witnesses of the prosecution after redaction of the address and particulars of the witnesses which could disclose their identities. This is certainly not the case over here. In Reliance Industries (*supra*) a criminal complaint was filed, but the same was dismissed as being barred by limitation. Revision was then filed before the High Court where the accused sought copies of the documents annexed with the criminal complaint. However, this request was turned down by the High Court holding that the question of supply of such documents would arise only when the principle question of limitation was first addressed. The decision of the High Court was reversed in appeal by the Apex Court. This is certainly not the case over here. In Manoj & Ors.(*supra*) the prosecution had concealed the role of an important witness who had analysed Call Detail Records of the deceased and that of another person and had also participated in the investigation at some very crucial stages, including arrest of an accused. The Call Detail Records were suppressed and the said important witness was instead called as a defence witness. It was in this context that the

Apex Court held that the Trial Court ought to have inquired more deeply into the role of the said witness given the fact that she had analysed the Call Detail Records and was involved in arrest of an accused. That, however, is not the situation in this *lis*. Arun Kumar Goenka (*supra*) was a case where the Trial Court ordered that it could not go into another inquiry by assuming that the prosecution may not have furnished the complete list of unrelayed upon documents. The High Court reversed this order of the Trial Court. This is certainly not the situation that presents in this case. Lastly, Chittaranjan Das (*supra*) does not at all even remotely concern the issue of section 207 of CrPC.

28. Further, this Court cannot be expected to supply to the defence copies of each and every letter that one individual may address to another, or that one government department may exchange with another, in relation to this *lis*. What is material is that any *inter se* communication qua this *lis* would fall beyond the ambit of section 207 CrPC, if it was not collected at the stage of the investigation and formed no part of the investigation record. To my mind, the statutory obligation under section 207 of CrPC does not encompass every correspondence or exchange that may have some remote or incidental connection with subject matter of the case. An accused can agitate his statutory right under section 207 of CrPC qua such correspondence or exchange only if the investigating agency has laid his hands on them.

29. By seeking a copy of the aforementioned MHA letter, A-1 Sanjay Pratap Singh is effectively attempting to invoke the provisions of section 91 of the CrPC at an inopportune and premature stage, even before the matter can be taken up for

consideration on the point of charge. Such a manoeuvre, if entertained, would constitute an undue interference with the orderly progression of the proceedings. Invoking section 91 of CrPC to seek such a document at this premature stage, is expressly prohibited and reference in this regard can be had to the Apex Court decision of State of Orissa v. Debendra Nath Padhi, (2005) 1 SCC 568.

30. In view of the above, the request of A-1 Sanjay Pratap Singh for copy of letter no. 14033/02/2021.UTS-I dt. 12.07.2024 of the Ministry of Home Affairs apparently written to the DoP&T is turned down. A-1 Sanjay Pratap Singh may invoke his right under any other extant law to obtain copy of the aforesaid letter of the Ministry of Home Affairs. In the alternative, in this regard, he may invoke section 91 of CrPC, but at an appropriate stage.

31. **Conclusion** : (a) Copy of the withdrawn sanction order dt. 22.05.2023, which was collected by CBI at the time of investigation, is required to be placed on judicial record and the copy of the same will have to be supplied to A-1 Sanjay Pratap Singh, and (b) the request of A-1 Sanjay Pratap Singh for copy of letter no. 14033/02/2021.UTS-I dt. 12.07.2024 of the Ministry of Home Affairs apparently written to the DoP&T, is hereby turned down.

32. For compliance of the direction issued hereinabove, it is hereby directed that the IO shall file on record copy of the withdrawn sanction order dt. 22.05.2023 from CBI's police file on **16.02.2026**. **Simultaneously, its copy shall be furnished by CBI to A-1 Sanjay Pratap Singh on 16.02.2026.** Copy of this order be sent

to IO/HIO for compliance.

33. In the alternative, **notice be also issued** to the Secretary, Ministry of Personnel, Public Grievances and Pensions Department of Personnel & Training, North Block, New Delhi to furnish to this Court copy of the withdrawn sanction order dt. 22.05.2023 by **16.02.2026**. Copy of this order be sent to the concerned Secretary for compliance.

34. Order on the second application dt. 20.09.2025 of A-1 Sanjay Pratap Singh shall follow on 19.01.2026.

(M. P. Singh)  
Special Judge (PC Act) CBI-02  
RACC/New Delhi/17.01.2026