

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

23.01.2026

Present: Mr. Raj Kamal, Learned PP for CBI.
IO/Inspector Ravinder Kumar Bharti, through VC.
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.
Ld. Counsel Mr. Debopriyo Moulik for **A-1** and **A-2**,
through VC.
Ld. Counsel Mr. Abhay Tripathi 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	Disposed of on 17.01.2026
2.	20.09.25	A-1 Sanjay Pratap Singh	Disposed of on 19.01.2026
3.	20.09.25	A-2 Aparna Singh	Disposed of on the date of the arguments itself i.e. 13.12.2025
4.	27.10.25	A-1 Sanjay Pratap Singh	Disposed of on 21.01.2026
5.	27.10.25	A-2 Aparna Singh	--

2. The fifth application dt. 27.10.2025 of A-2 Aparna Singh under section 207 CrPC for supply of documents is being taken up for disposal. This application is a sequel to the application dt. 20.09.2025 of A-2 Aparna Singh that was disposed of on 13.12.2025.

3. It is pertinent to mention here that in her application dt. 20.09.2025 (which was disposed of on 13.12.2025) A-2 Aparna Singh had prayed for '*confirmation*' from CBI about issuance/receipt of seven (07) documents as enumerated in *Annexure A1* appended to the said application. In its reply to the said application dt. 20.09.2025 of A-2 Aparna Singh, CBI had provided document-wise '*confirmation*', stating that it had received all the seven (07) documents.

4. It is with respect to the very same seven (07) documents that this application dt. 27.10.2025 has been filed by A-2 Aparna Singh and therein she avers that the said seven (07) documents find no mention in either the list of relied-upon documents or the list of unrelieved-upon documents, despite having been issued or received by the prosecuting agency. She further avers that she recently came across these documents while scrutinising her records of communications exchanged with the Investigating Officer.

5. The description of the said seven (07) documents, together with CBI's document-wise response, as set out in its reply dt. 06.11.2025 to the instant application dt. 27.10.2025, is set out in tabular form as under:

Sr. No.	Description of documents	IO's response as set out in the reply dt. 06.11.2025
1.	Letter dated 17.08.2017 issued by the Applicant in response to the Notice under S. 91 Cr.P.C. dated 10.08.2017 along with original postal receipt	This letter dated 17.08.2017 was received in the office <u>unsigned</u> and enclosure are not certified by the accused applicant.
2.	Notice under S. 91 Cr.P.C. dated 25.08.2017 issued by the CBI	This was the notice issued by IO to accused applicant. Through this letter IO has written to the accused applicant that <i>“the letter dated 17.01.2017 as well as the documents enclosed with it are unsigned/uncertified. Please submit them along with remaining documents. If any, duly certified with your signature.”</i>
3.	Letter dated 04.09.2017 issued by the Applicant in response to Notice under S. 91 Cr.P.C. dated 25.08.2017 along with original Postal receipt	This was the letter dated 04.09.2017 issued by accused/applicant to IO in response to notice mentioned at sl. no. ii of this application.
4.	Letter No. RC-DAI-2015-A-0043/7351 dated 20.06.2018 issued to the Applicant by CBI	This letter was issued by CBI to the accused/applicant.
5.	Letter dated 25.06.2018 issued by the Applicant in response to the Letter No. RC-DAI-2015-A-0043/7351 dated 20.06.2018 along with original Postal receipt	This is the letter issued by the accused/applicant to IO.
6.	Letter No. RC-DAI-2015-A-0043/7887 dated 04.07.2018 issued to the Applicant by CBI.	This letter was issued by CBI to the accused/applicant.
7.	Letter dated July 10, 2018 issued by the Applicant addressed to Sh. Ranvijay Singh, Dy. Supt. of Police in response to Letter No. RC-DAI-2015-A-0043/7887 dated 04.07.2018 along with original Postal receipt	This letter was issued by the accused/applicant to IO.

6. The reliefs prayed for by A-2 Aparna Singh in her instant application dt. 27.10.2025 are as under:

- a) Direct the CBI to provide the applicant with copies of the documents mentioned in Annexure A1, if they form a part of relied upon documents,
- b) Alternatively, direct the CBI to provide the applicant with a better complete list of unrelieved upon documents.

7. In addition to the specific document-wise response as set out in the tabular form hereinabove, CBI states as follows in its reply dt. 06.11.2025. These documents are correspondences exchanged *inter se* A-2 Aparna Singh and the Investigating Officer; that the only purpose of filing this application is to delay the trial, for on the previous dates it was admitted that compliance of section 207 CrPC was complete and no further documents were required by them. CBI seeks dismissal of this application.

8. Learned counsels for A-2 Aparna Singh contended that, in light of the settled legal position as enunciated in several pronouncements of the Constitutional Courts, prosecution's documents can fall into only two distinct categories, namely, relied-upon documents and unrelieved-upon documents, and no third category is legally permissible. They further submitted that the law does not contemplate the existence of any third category of prosecutorial documents, such as a missing or mysterious set of documents. It was pointed out that, in the instant case, despite the Investigating Officer having admitted issuance/receipt of the aforesaid documents submitted by A-2 Aparna Singh, the same have inexplicably not been placed in either the category of relied-upon documents or that of unrelieved-upon documents.

9. Learned Public Prosecutor for CBI vehemently opposed the present application. He contended that the documents in question

are irrelevant to the case and, in any event, copies thereof are already in possession of A-2 Aparna Singh. He further submitted that the present application has been filed with the sole intent of protracting the proceedings and causing unwarranted delay in the matter.

10. It is this Court's considered view that learned counsels for Aparna Singh (A-2) are correct in their submissions that the prosecutorial documents ought to fall in the category of either relied-upon documents or unrelieved-upon documents. There exists no legal basis for recognising a third category comprising so-called 'mysterious' or 'missing' documents, and any attempt to do so would run contrary to established legal principles. Arun Kumar Goenka v. CBI, 2024 SCC OnLine Del 310 is an authority for the proposition that it is Court's duty to ensure that the list of prosecution's unrelieved upon material is complete. It was a case where the Trial Court had ordered that it could not go into another inquiry by assuming that the prosecution may not have furnished the complete list of unrelieved upon documents. The High Court reversed this order of the Trial Court.

11. In view of the above, IO/HIO is hereby instructed to classify the aforesaid seven (07) documents as 'additional unrelieved-upon documents'. The reason for placing them in this category is that the prosecution has never, at any stage, claimed or argued that it was relying on these documents for prosecuting the accused. Therefore, these documents cannot be considered as relied-upon and must instead be recorded as unrelieved-upon.

12. The list of 'additional unrelieved-upon documents' shall be

furnished to the Court as also to accused persons.

13. This application dt. 27.10.2025 of A-2 Aparna Singh under section 207 CrPC is accordingly allowed. *Copy of this order be sent to IO/HIO for compliance.*

14. List the matter on 30.01.2026 for arguments on the application dt. 02.05.2025 of A-3 Ajay Kumar under section 294 CrPC.

(M. P. Singh)
Special Judge (PC Act) CBI-02
RACC/New Delhi/23.01.2026