

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

04.02.2026 (at 03:00 pm)

Pr: Mr. Raj Kamal, Ld. PP for CBI.
IO/Inspector Ravinder Kumar Bharti, through VC.
None for A-1 and A-2.
A-3 Ajay Kumar, through VC.
None for **A-4** M/s Ultra Home Construction Pvt. Ltd.
Mr. Abhay Tripathi (through VC), Mr. Rajesh Anand
(physically) and Mr. Eshaan Seth (physically), Ld. Counsels
for **A-3**.

1. At the outset, Ld. PP for CBI files on record *list of additional unrelieved – upon documents*. Copy thereof given to counsels for A-3 Ajay Kumar. Copy thereof for A-1 and A-2 is taken on record and they may collect it from the Court record against acknowledgment.
2. Arguments on the application dt. 02.05.2025 of **A-3** Ajay Kumar under section 294 CrPC heard.
3. It is the submission of counsel Mr. Rajesh Anand that A-3 Ajay Kumar had appeared before the CBI only to furnish documents that were sought for by the CBI from M/s Ultra Home Construction Pvt. Ltd.; that any person from the company could have very well gone to the CBI office to hand over the documents sought for; that the CBI however malafidely dragged A-3 Ajay Kumar into this case as an accused. He submits that A-3 Ajay Kumar has played no role whatsoever in the transactions concerning the present case. It is further his submission that this application is very much maintainable as section 294 of CrPC applies to the stage of enquiry also. It is next his submission that A-3 Ajay Kumar was no doubt a Director of M/s Ultra Home Construction Pvt. Ltd., but he was the Director for

'construction and coordination'. He states that in order to show that he was the Director for *'construction and coordination'*, the Company Profile and the Forensic Auditor's Report submitted before the Apex Court (running into about 12,000 pages) would suffice. It is thus that on behalf of A-3 Ajay Kumar it is prayed that this application be allowed and these two documents may be directed to be either admitted or denied by the prosecution under section 294 of CrPC.

4. On the other hand, it is the submission of Ld. PP for CBI that this application is not maintainable in the present form. According to him, by way of this application A-3 is essentially trying to file and rely on documents at the stage of charge which he cannot do in terms of the judgment of State of Orissa v. Debendra Nath Padhi, (2005) 1 SCC 568 and Dinesh Puri v. NCT of Delhi, 2016 SCC OnLine Del 5551. He states that in these judgments it has been specifically held that at the stage of charge an accused cannot furnish any document and/or rely on the same on the anvil of section 91 of CrPC. He submits that at this stage it is neither necessary not desirable for the purposes of consideration on charge that these two documents be taken on record. He submits that for arguments on charge it is only the prosecution case that has to be looked into and the documents sought to be relied upon by the defence are to be ignored. He seeks dismissal of this application of A-3 Ajay Kumar.

5. List for order on 09.02.2026.

(M. P. Singh)
Special Judge (PC Act) CBI-02
RACC/New Delhi/04.02.2026