

CC No. 134/24  
CBI Vs. Sanjay Pratap Singh & Ors.  
21.03.2025  
RC No. DAI-2015-A0043/CBI/ACB/New Delhi  
CNR No. DLCT11-000146-2024

Present: Sh. Avanish Kumar Chand, Ld. PP for CBI.  
IO/Insp. Ravinder Bharti in person.  
A-1 Sanjay Pratap Singh and A-2 Ms. Aparna Singh on  
bail (VC) with Counsel Sh.Debopriyo Moulik (VC).  
A-3 Ajay Kumar on bail (VC) with Counsel Ms. Harmeet  
Kaur.  
None for A-4 M/s Ultra Home Construction Pvt. Ltd.

Counsel appearing on behalf of A-3 submits that she has received information that A-4 M/s Ultra Home Construction Pvt. Ltd. is under liquidation and a Court Receiver has been appointed by the Supreme Court of India. Counsel is directed to place on record the copy of the said order on or before the next date of hearing.

CBI has filed reply to the application filed on behalf of A-1 & A-2 wherein directions were sought that they may be supplied the list of unrelieved documents. The reply is accompanied with the list of unrelieved documents. Be taken on record. IO has submitted that the list of unrelieved documents has already been supplied to all the accused persons. In view of this, application stands disposed of.

At this stage, two separate applications have been filed i.e. (i) an application filed on behalf of A-1 & A-2 and; (ii) an application filed on behalf of A-3. Copies supplied.

In terms of the application filed on behalf of A-1 & A-2, directions have been sought that they may be permitted to inspect the unrelieved documents supplied by the prosecution.

Ld. PP for CBI has not preferred to file reply to the said application but he has opposed the same.

Counsel for A-1 & A-2 has argued that inspection of unrelieved documents is essential to address arguments on the point of charge. It is the common stand of these accused persons that inspection of these documents is essential for a fair trial. Counsel has stated that accused persons shall be prejudiced, in case, they are not allowed to inspect the documents.

On the other hand, Ld. Public Prosecutor appearing on behalf of CBI has opposed the prayer mentioning that the filing of the application is a ploy to delay the trial. He has mentioned that accused persons are deliberately moving applications to derail the trial. He has argued that the unrelieved documents cannot be considered at the stage of framing of charge and, therefore, there is no point in allowing the inspection of the said documents.

I have perused the record in the light of respective arguments.

It is a settled proposition that in order to ensure a just and fair trial, the accused persons cannot be denied the right to inspect the unrelieved documents and statements of witnesses collected and recorded by the investigating agency during the course of investigation. By means of present application, the only relief sought by the accused persons is that they may be granted liberty to inspect the unrelieved documents. I am of the considered opinion that the accused persons are entitled to inspect the unrelieved documents to ascertain if they are relevant or vital for their defence or to see that they are of sterling quality to demolish the case of prosecution. They

cannot be denied this opportunity and doing so, would lead to miscarriage of justice. In view of this, application stand allowed. A-1 & A-2 are at liberty to inspect the unrelieved documents by approaching the Investigating Officer and the inspection shall be allowed on a mutually convenient time and place. Needless to mention that, in case, inspection is not completed in one day, counsel for accused persons would be allowed to inspect the unrelieved documents on any further convenient date and time as may be fixed by the Investigating Officer. It is further made clear that inspection shall be completed within three weeks of passing of this order. With these directions, application stands disposed of.

By means of second application filed on behalf of A-3, directions have been sought that copies of certain illegible documents may be supplied. IO has submitted that the digital copies of the documents have already been supplied to all the accused persons and the digital record contains the best available copies. In view of the submissions made by the IO, application stands allowed with directions that counsel for A-3 is at liberty to inspect the court record and scan the documents from the mobile phone. Ahlmad is directed to ensure compliance.

Put up for consideration/arguments on the point of charge on 23.04.2025.

(Sudhanshu Kaushik)  
Special Judge (PC Act)/CBI-11,  
Rouse Avenue Courts, Delhi  
21.03.2025