

**CC No. 134/24**

**CBI Vs. Sanjay Pratap Singh & Ors.**

**RC No. DAI-2015-A0043/CBI/ACB/New Delhi**

**CNR No. DLCT11-000146-2024**

23.04.2025

Present: Sh. Avanish Kumar Chand, Ld. PP for CBI.

IO/ Insp. Ravinder Bharti.

A-1 Sanjay Pratap Singh and A-2 Ms. Aparna Singh are present on bail (**through VC**) with Counsel Sh. Debopriyo Moulik.

**A-3** Ajay Kumar is **absent** on bail. Counsels Sh. Abhay Tripathi and Ms. Nidhi Gaur are present.

**None for A-4 M/s Ultra Home Construction Pvt. Ltd.**

An application seeking exemption from personal appearance has been filed on behalf of A-3 Ajay Kumar on the ground that he has gone to Bihar to attend marriage of his nephew. Perused. In view of the reasons mentioned in the application, **A-3 Ajay Kumar is exempted from personal appearance for today only through his counsel subject to the condition that he shall not either dispute his identity or authenticity of the proceedings recorded in his absence.**

In terms of the previous order, counsel appearing on behalf of A-3 Ajay Kumar has placed on record the copies of the orders passed by the Supreme Court of India in Writ Petition (Civil) No. 940/2017 titled as Vikram Chatterjee & Ors. Vs. Union of India. The orders reveal that A-4 M/s Ultra Home Construction Pvt. Ltd. belongs to Amrapali Group of Companies and a Court Receiver of the company has been appointed by the Supreme Court of India in the

afore-stated writ petition. The orders further reveal that during the course of the proceedings of the said writ petition, the Supreme Court of India has issued directions that the appointed Court Receiver shall not be called in any other proceedings in any court. The copies of the orders be taken on record. In view of this, intimation be forwarded to the Court Receiver that charge-sheet against A-4 M/s Ultra Home Constructions Pvt. Ltd. stands filed before this court with an endorsement thereon that the same is only for the purpose of information.

At this stage, Counsel for A-1 and A-2 has submitted that he has undertaken the exercise of inspecting the unrelieved documents except the articles mentioned at serial nos. 16 and 17 in the list of unrelieved documents. He has submitted that he would address arguments on the point of charge only after inspecting the contents of these articles.

Ld. PP for CBI has submitted that the articles mentioned at serial no. 16 are two mobile handsets (I-Phone 6S and I-Phone 4S) and a brown colour wallet along with membership card of A-1 while article mentioned at serial no. 17 is a Samsung Mobile handset and laptop (Apple Mac Book). He has submitted that in terms of the directions contained in the previous order, the inspection of all the unrelieved documents has been carried out and there is no point in keeping the matter pending on the said issue. He has mentioned that the internal data of the devices mentioned at serial nos. 16 and 17 was not extracted during the investigation and the internal data, if any, is

not relevant for addressing arguments on the point of charge. He has mentioned that he has received telephonic communication from the investigating officer that the devices are lying in dead condition and they are not in working order. He has submitted that no useful purpose is going to be served by the inspection of the contents of the devices mentioned at serial nos. 16 and 17 of the list of unrelieved documents. In order to support these submissions, he has placed on record decision by the Supreme Court of India in *Central Bureau of Investigation Vs. K. Sudhakar & Anr in Crl. Appeal No. 1440/2025 decided on 05.03.2025*. On the other hand, counsel for A-1 and A-2 has submitted that he is entitled to inspect the contents of the articles mentioned at serial nos. 16 and 17 of the list of unrelieved documents. He has expressed his unwillingness to address arguments on the point of charge without inspecting the contents of the said devices. He submits that he may be permitted to place on record certain judgments to support his contentions that arguments on the point of charge can be heard only after he has inspected the contents of these devices. Liberty sought is granted.

Put up at **02:00 PM**.

(**Sudhanshu Kaushik**)  
Special Judge, (PC Act)/ CBI-11,  
Rouse Avenue Courts, Delhi  
23.04.2025

**At 02:00 PM**

Present: Sh. Avanish Kumar Chand, Ld. PP for CBI.  
Sh. Suraj Kumar Prajapati, Proxy Counsel for Sh.  
Debopriyo Moulik, Counsel for A-1 and A-2.

The matter was kept pending on the request of the Counsel for A-1 and A-2 but he has failed to appear. Proxy Counsel Sh. Suraj Kumar Prajapati has appeared on his behalf and submitted that the counsel is busy in some other court. He has requested that the matter may be adjourned. I am of the considered view that a fair and reasonable opportunity has been granted to the counsel to make submissions on the issue (as mentioned above) but he has failed to avail the said opportunity. It can be seen from the record that the FIR bearing RC No. DAI-2015-A-0043 came to be registered on 30.12.2015 and the matter is still at the stage of framing of charges. I do not deem it expedient to keep the matter further pending on the issue of inspection of unrelayed documents. The request for adjournment appears to be a ploy to delay the matter. The same is declined.

I have perused the record in the light of respective submissions. The brief facts of the matter are that a fresh charge-sheet was filed on 12.11.2024 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 was filed against four (04) accused

persons; (i) Sanjay Pratap Singh (A-1); (ii) Aparna Singh (A-2); (iii) Ajay Kumar (A-3); and (iv) M/s Ultra Home Constructions Private Limited (A-4). None of the accused persons was arrested during the investigation. The allegations contained in the charge-sheet are that A-1 Sanjay Pratap Singh was an officer of Indian Administrative Services (IAS). It was disclosed that A-1 joined the service in the year 1984 and worked in various capacities on different posts. A-2 Smt. Aparna Singh is the wife of A-1. It has been stated that their marriage was solemnized in the year 1987 and three children were born out of the wedlock.

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.

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 Lakhs and Forty Two Thousand only), gold bars, gold coins & jewelry were also 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 Lakhs Eighty Two Thousand Four Hundred and Seventy Four only) during the check-in period. The statement 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.

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.

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 Avantika 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 Avantika 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 for 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.

The charge-sheet was filed along with documents (D-1 to D-312) and statements 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 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.

Record shows that on the basis of the charge-sheet, cognizance was taken on 29.11.2024 and summons were issued to the accused persons. In response, accused persons appeared through their counsels and copies of the charge-sheet as well as the documents (relied upon) filed along with the same were supplied on 06.02.2025 and the matter was fixed for arguments on the point of charge for 27.02.2025. However, on the said date, counsel for A-1 and A-2 filed two applications; (i) seeking directions that he may be provided

the list of unrelieved documents; and (ii) seeking directions that he may be permitted to inspect the unrelieved documents. Both the applications were allowed vide order dated 21.03.2025. In terms of the said order, the list of unrelieved documents was provided to the accused persons and they were allowed to inspect the documents with directions that the inspection shall be concluded within a period of three weeks and the matter was posted for arguments on the point of charge for today. Instead of addressing arguments on the point of charge, the counsel for A-1 and A-2 came up with a prayer that he should be allowed to inspect the contents of devices mentioned at serial nos. 16 and 17 of the list of unrelieved documents and the arguments shall be addressed only after completion of the said exercise. It can be seen that the devices mentioned at serial nos. 16 and 17 were seized from the possession of the accused persons and therefore, it can be taken that they must be fully aware about the contents of these devices. On being questioned, counsel for A-1 and A-2 has failed to explain as to what evidence of sterling quality could be found lying in these devices, which may be relevant for addressing arguments on the point of charge. There is not even a wisper in the application that an impeccable evidence is lying in these devices which may be relevant to demolish the case of prosecution. It appears that the submissions that the arguments on the point of charge shall be made only after inspection of these devices are intended to delay the matter. I am of the considered opinion that there is no point in undertaking such a roving inquiry at this stage. The list of unrelieved documents was

provided to the accused persons and they were granted a reasonable opportunity to inspect the same. The accused persons cannot be permitted to stretch the opportunity in a manner which may derail the trial. In arriving at this conclusion, I draw force from a recent decision by the Supreme Court of India in the case titled as *Central Bureau of Investigation Vs. K.Sudhakar & Anr. (supra)* wherein it has been categorically observed that such a roving inquiry is not permissible at the stage of charge. In view of this, the request of the counsel for A-1 and A-2 is declined.

In order to avoid any further delay, put up for **arguments on the point of charge on 02.05.2025** with directions to the accused persons to appear physically. It is clarified that no request for adjournment shall be entertained on the next date of hearing.

(Sudhanshu Kaushik)  
Special Judge, (PC Act)/ CBI-11,  
Rouse Avenue Courts, Delhi  
23.04.2025