

IA No. 09/2026

CC No. 150/24

CBI Vs Vijay Kr. Maggo & Ors

RC No. 003 2024 A0043/ACB/CBI/ND

25.05.2026

Present: Sh. Avnish Chand, Ld. PP for CBI.
Applicant Vijay Kumar Maggo in person with Counsel
Sh. Akash Sachan.

ORDER

1. By means of present application filed under Sections 94, 348 and 330 of BNSS, applicant/ accused Vijay Kumar Maggo has sought directions that certain files may be summoned from the office of Delhi Urban Shelter Improvement Board (DUSIB). The details of the files have been disclosed in para-6 of the application.

2. Notice was issued to CBI. Reply was filed.

3. Arguments heard. Record perused.

4. Record shows that the present matter is at the stage of prosecution evidence. Prosecution had already examined four witnesses and the present application came to be filed after the examination-in-chief of the fifth witness i.e. PW-5 P.K. Jha. The examination-in-chief of PW-5 was recorded on 30.04.2026 but the cross-examination was deferred on the request of the counsel who submitted that certain documents would be required to be summoned for the proper cross-examination of the witness. In view thereof, the present application has been filed whereby directions have been sought that six different files may be summoned.

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5. The brief background of the matter is that the present charge-sheet was filed against two persons, applicant Vijay Kumar Maggo and Satish Kumar. Applicant/ accused Vijay Kumar Maggo was a public servant who was employed as a Legal Officer in DUSIB while Satish Kumar was a private person. The FIR No. RC 003-2024-A0044 dated 07.11.2024 came to be registered under Section 7A of the Prevention of Corruption Act (PC Act) and Section 61(2) of Bhartiya Nyay Sanhita (BNS), 2023 against these individuals on the basis of a complaint dated 04.11.2024 lodged by the complainant Sh. Karan Gupta.

6. It is the case of prosecution that the two shops of the complainant at Multani Dhanda, Paharganj, New Delhi were sealed by DUSIB. The allegations contained in the FIR were that applicant, being a public servant, demanded a bribe of Rs.40 lakhs from the complainant by assuring him that he would facilitate the de-sealing and unhindered operation of the shops. The bribe amount was demanded by the applicant by claiming that the illegal gratification needs to be paid to the higher officials of DUSIB namely PW-5 Sh. P.K. Jha, Principal Director, Sh. K.P.Singh, Executive Engineer and Sh. Tarun Gaur, Executive Engineer.

7. On verifying the allegations, the FIR was registered and a trap was laid on 07.11.204 to apprehend the accused persons red-handed. It has been disclosed that applicant met the complainant at a place

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near his residence and accepted the bribe but he was caught red-handed. After arrest, search was carried out at the residence of applicant from where an unaccounted cash amount of Rs.3.79 crore was recovered.

8. On conclusion of the investigation, charge-sheet was filed. In the meantime, complainant filed an application seeking further investigation alleging therein the active involvement of PW-5 P.K. Jha in the conspiracy to demand the bribe but the said application was dismissed vide order dated 27.08.2025 with the following observations:-

“10. I have perused the entire record. I am of the considered opinion that a detailed and thorough investigation was carried out by the investigating agency but no incriminating material was found to show the involvement of Sh. P.K.Jha and other officials of DUSIB. The names of these officials cropped up only in the statement of A-1, who disclosed to the complainant that the bribe amount is meant to be distributed amongst the said officials. Complainant has disclosed in the present application that Sh. P.K.Jha used to exert pressure upon him that he should pay heed to the submissions of A-1 and the shops would not be opened without paying money but these facts were not disclosed either in his initial complaint or in the statement recorded under Section 161 of Cr.P.C. Be as it may, at this stage, no further investigation is called for. The investigating agency has already collected the material showing the involvement of A-1 & A-2. It has been disclosed that a separate DA case under Section 13(1)(d) of the PC Act has also been registered and the investigation is going on in the said matter. The charge-sheet does not contain any direct or circumstantial evidence showing the involvement of Sh. P.K.Jha and other officials of DUSIB. No serious lapses have been pointed out in the investigation. The investigating agency has carried out the investigation on all the material aspects and submitted a

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detailed charge-sheet. In view of this, no purpose would be served by issuing directions for further investigation. Accordingly, the application stands dismissed.”

9. In the present application, the applicant has submitted that the six files which are sought to be summoned would be required for the cross-examination of PW-5. It is the stand of the CBI that amongst these files, only one file pertaining to the appeal filed by the complainant is relevant and the certified copy of the same was already filed along with the charge-sheet. The CBI has disclosed in its reply that the original file pertaining to the appeal of the applicant was seized vide production memo dated 18.11.2024 but five volumes of the original record were returned to DUSIB as the concerned official had disclosed that the same would be required to be produced before the Hon'ble Lieutenant Governor in the appeal filed by the complainant against the order dated 19.03.2024 of Principal Director (Property) upholding the sealing of the shops of the complainant.

10. During the course of the arguments, counsel for the applicant has submitted that he is not pressing for the summoning of any other file except the file pertaining to the complainant. Counsel for the applicant has mentioned that although the investigating officer submitted the certified copy of the said file but the record was incomplete. He has mentioned that some critical portions from the original file, including the notings made by PW-5, were deliberately not placed on record. He has submitted that the notings and the complete file would go on to demonstrate that the complainant was

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directed to deposit damages but he failed to do so. He has mentioned that summoning of the said file is essential for the proper cross-examination of PW-5.

11. Although, I am not convinced with the argument of the counsel for applicant that the production of the file of appeal of the complainant would substantiate the defence of the applicant but taking note of the fact that it has been alleged that the record is incomplete, I deem it expedient to summon the said file on the date of cross-examination of PW-5. However, the files pertaining to the appeals filed by the other shop owners in respect of their respective shops are not relevant for the purpose of the present trial. Accordingly, the application stands partially allowed.

12. The Director, DUSIB to is directed produce the entire file of appeal pertaining to the complainant Karan Gupta on the next date of hearing. Application stands disposed of accordingly.

Put up for **remaining PE** on the date already fixed i.e.,
01.06.2026.

(Sudhanshu Kaushik)
Special Judge (PC Act)/CBI-11
Rouse Avenue Courts, New Delhi
25.05.2026