

**HIGH COURT OF CHHATTISGARH AT BILASPUR****ACQA No. 66 of 2026**

CBI – Central Bureau of Investigation **Versus** Amit Jogi & Others
alongwith

CRR/434/2007 and CRR/232/2008

Order Sheet

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| 01/04/2026 | <p>Heard Mr. Vaibhav A. Goverdhan, learned counsel for the Appellant-Central Bureau of Investigation (<i>for short, the CBI</i>), Mr. Shree Singh alongwith Mr. Raj Bahadur Singh, learned counsel for the Complainant-Satish Jaggi, Dr. Saurabh Kumar Pande, learned Deputy Advocate General and Mr. Priyank Rathi, learned Government Advocate for the State, Mr. R.S.Marhas, learned counsel for the respondents No. 21, 22 and 23 {in Cr.R. No. 232/2008}.</p> <p>At the outset, it has been pointed out that vide order dated 12.10.2023 passed by this Court, the respondent No. 7-Vikram Sharma {in Cr.R. No. 232/2008}, was directed to be deleted from the cause title as he had died on 24.02.2013 regarding which a death certificate was also placed on record. Till date, the said respondent has not been deleted from the array of the parties. In</p> |



the appeal filed before this Court being Cr.A. No. 735/2007, the name of the said accused has already been deleted. Hence, the Registry is directed to delete the name of respondent No. 7-Vikram sharma in Cr.R. No. 232/2008, during course of the day.

In pursuance of the order dated 06.11.2025 passed by the Apex Court in Cr.A. No(s). 1927/2014 filed by the State of Chhattisgarh, alongwith other connected matters, Cr.M.P. No. 495/2011, filed by the CBI, was heard by this Court on 25.03.2026 and leave to appeal was granted to the CBI and the acquittal appeal was admitted for hearing and notices were also issued to the respondent No. 1-Amit Aishwarya Jogi and he was further directed to furnish his bail bond and sureties to the satisfaction of the trial Court concerned.

On the said date i.e. 25.03.2026, Mr. Shailendra Shukla, Advocate caused his appearance on behalf of the accused-Amit Aishwarya Jogi and sought time to seek instructions and to file his Vakalatnama which was allowed and the matters were directed to be listed today for final hearing.

Today, when these cases are taken up for hearing, another Advocate Mr. Vikas Walia, learned counsel appearing on behalf of the accused-Amit Aishwarya Jogi submits that though he has filed Vakalatnama on behalf of the accused today, he prays that he may be granted four week's time to prepare the case and the



hearing of appeal be adjourned. In this regard, he has filed an application being IA No. 1/2026 under Section 528 of the Bharatiya Nagrik Suraksha Sanhita, 2023 seeking four week's time to prepare and address final arguments in ACQA No. 66/2026. Placing reliance on the judgment of the Apex Court in **Anokhilal v. State of Madhya Pradesh** {AIR 2020 SC 232}, he submits that the accused herein is entitled to a fair hearing and to have adequate time and facilities for the preparation of his defence. It is further submitted that the order dated 25.03.2026 passed by this Hon'ble Court, granting leave to appeal against acquittal resulting in the present proceeding have been challenged before the Hon'ble Supreme Court by the accused vide Diary No. 19294/2026, on 30.03.2026 which is presently pending consideration.

In compliance of the Apex Court's order dated 06.11.2025, the *de facto* complainant Mr. Satish Jaggi was also made one of the respondent in the appeal filed by the CBI (ACQA No. 66/2026) as respondent No. 3. The said complainant is being represented by Mr. Shree Singh and Mr. Raj Bahadur Singh, learned counsel, and the State is being represented by Dr. Saurabh Kumar Pande, learned Deputy Advocate General, who are present before the Court.

The order passed by the Apex Court dated 06.11.2025, in



Cr.A. No. 1927/2014 and other connected matters, which is on record, on the basis of which the matter was firstly listed on 24.03.2026, this Court passed the following orders:

“Mr. B.P. Sharma, learned counsel for the applicant, submits that the matter has been remanded by the Hon’ble Apex Court for rehearing; however, he has no instructions as of today.

Mr. Vaibhav A. Goverdhan, learned counsel appearing on behalf of the CBI, along with Dr. Saurabh Pande, learned Deputy Advocate General appearing for the State, jointly submit that the State had preferred CRMP No. 137 of 2008 seeking leave to appeal against the judgment of acquittal dated 31.05.2007 passed by the learned trial Court in favour of the accused, Amit Aishwariya Jogi. The said application was dismissed by a Coordinate Bench of this Court on 18.08.2011 on the ground that an application for leave to appeal filed by the State was not maintainable in a case investigated by the CBI.

It is further submitted that the CBI had also challenged the judgment and order dated 31.05.2007 by filing CRMP No. 495 of 2011; however, the same was rejected by a Coordinate Bench of this Court vide order dated 12.09.2011 on the ground of delay. Additionally, CRMP No. 434 of 2007, preferred by the de facto complainant, namely Satish Jaggi, seeking conversion of the revision into a criminal appeal to enable him to challenge the acquittal of Amit



Aishwariya Jogi, was also dismissed vide order dated 19.09.2011.

Being aggrieved by the orders dated 18.08.2011, 12.09.2011, and 19.09.2011, the parties preferred CRA No. 1927 of 2014 and connected matters before the Hon'ble Apex Court. The Hon'ble Apex Court, vide order dated 06.11.2025, condoned the delay in filing CRMP No. 495 of 2011 and remitted the matter to this Court for fresh consideration of the application for leave to appeal filed by the CBI on merits. It was further directed that the CBI shall implead the de facto complainant as well as the State as necessary parties in the said proceedings.

Mr. Vaibhav A. Goverdhan, learned counsel for the CBI, has also produced a copy of the order dated 06.11.2025 passed by the Hon'ble Apex Court in CRA No. 1927 of 2014, which is taken on record.

Mr. Shailendra Sharma, learned counsel, submits that he had earlier appeared on behalf of respondent No. 2 in CRR No. 434 of 2007; however, he presently has no instructions, as he has since been appointed to the State panel.

Since CRMP No. 495 of 2011 is not listed before this Court today, it is directed that the same be connected with the present cases and listed tomorrow, i.e., 25.03.2026.

As the matter has been remanded by the Hon'ble Apex Court, it is deemed appropriate to issue notice to the de facto complainant, Satish



Jaggi, as well as to the accused/respondent No. 2, Amit Aishwariya Jogi, directing their appearance before this Court tomorrow, either in person or through counsel of their choice.

The notice shall be served through the Superintendent of Police, Raipur, who shall file a personal affidavit regarding service.

The learned State counsel is directed to communicate a copy of this order to the Superintendent of Police, Raipur for necessary compliance.

Certified copy today.”

Thereafter, notices were issued to the *de facto* complainant-Satish Jaggi and the respondent/ accused-Amit Aishwarya Jogi, for their appearance before this Court either in person or through their respective counsel and the matters were directed to be posted on 25.03.2026 on which date, leave was granted to the CBI for filing the acquittal appeal. The accused-Amit Aishwarya Jogi was also directed to furnish his bail bonds and it is informed by Mr. Walia, learned counsel appearing for the accused-Amit Aishwarya Jogi that bail bond and sureties have been duly furnished on 30.03.2026 before the learned trial Court.

The matter was remanded by the Apex Court vide order dated 06.11.2025 for being decided by this Court, and one of the co-accused namely Yahya Dhebhar has recently been granted bail on 18.03.2026 in Cr.A. No. 4800/2024, by the Apex Court



wherein the Apex Court has also observed as under:

“ ...

The applicant, Yahya Dhebar, has been in prison since 30.04.2024. By way of this application, he seeks suspension of the sentence imposed upon him and grant of bail pending the disposal of his appeal.

We are now informed that a 3-Judge Bench of this Court passed judgment dated 06.11.2025 in Criminal Appeal No. 1927/2014 and batch whereby, in relation to the very same offence, the appeal of the Central Bureau of Investigation has been allowed. Consequently, the application of the CBI for grant of leave to appeal against the acquittal of one of the accused in this offence was directed to be considered by the High Court on its own merits.

We are also informed that the revisions filed by Satish Jaggi, the de facto complainant, are also pending consideration before the High Court, viz., Criminal Revision Nos. 434/2007 and 232/2008.

Given this situation and in the light of the judgment passed by the 3-Judge Bench, it would not be appropriate for this Bench to hear the appeals filed by the convicted appellants at this stage. The appeals would necessarily have to await the decision of the High Court in the aforestated pending cases, as consideration of the evidence adduced against the convicted



appellants in these appeals by this Court will invariably impact the pending cases before the High Court.

In such a situation, we do not think it would be proper that the applicant, Yahya Dhebar, should continue to remain in prison, when other similarly situated co-convicts have been granted the relief of suspension of sentence and consequential bail.

The sentence of imprisonment imposed upon the applicant, Yahya Dhebar, that stood confirmed by the High Court, shall stand suspended on payment of the fine amounts. The applicant shall be released on bail on such appropriate terms and conditions as may be fixed by the trial Court.

I.A. No. 295380/2025 is disposed of accordingly.

In the light of the aforestated observations, these appeals shall stand adjourned sine die.

Learned counsel for the parties may make a mention for re-listing of these appeals after the disposal of the matters pending before the High Court.

Lastly, as the hearing and disposal of these appeals hinges upon the disposal of the pending matters before the High Court, we would request the High Court to expedite the hearing of those pending matters to the extent possible.”

When these matters are taken up today for hearing in



pursuance of the order passed by the Apex Court on 06.11.2025, dilatory tactics are being adopted by the counsel appearing on behalf of the accused-Amit Aishwarya Jogi, by praying for adjourning the matters for four weeks.

On the last date of hearing, Mr. Shailendra Shukla, learned counsel had appeared on behalf of the accused-Amit Aishwarya Jogi and had sought time to file his Vakalatnama and to seek instructions. He also requested the Court that a set of paper book may be supplied to him upon which this Court directed the learned counsel appearing for the CBI to supply a set of paper book to Mr. Shailendra Shukla which was duly complied with.

Today, Mr. Goverdhan, learned counsel for the CBI, Dr. Pandey, learned State counsel alongwith Mr. Marhas, learned counsel for the respondents No. 21 to 23 are present and a new counsel, namely, Mr. Vikas Walia has appeared on behalf of the accused-Amit Aishwarya Jogi who prays for adjournment of these cases on the ground that the paper book is voluminous and would take some time for preparing the case as he has been engaged as counsel yesterday itself.

The record reflects that on the previous date of hearing, i.e., 25.03.2026, sufficient opportunity was granted to the accused through his then counsel, Mr. Shailendra Shukla, who sought time to obtain instructions and was also furnished with a complete set



of the paper book at his request. Despite this, instead of proceeding with the matter, the accused has now chosen to engage another counsel at the eleventh hour, who reiterates the same prayer for adjournment.

Such conduct, in the considered opinion of this Court, clearly indicates a deliberate attempt to delay the proceedings. The repeated change of counsel, coupled with successive requests for adjournment on identical grounds, cannot be permitted to impede the progress of a matter which has been specifically remanded by the Hon'ble Apex Court with a request for expeditious disposal. Further, the connected revision petitions filed by the complainant are pending since 2007 and 2008 respectively and the petition i.e. Cr.M.P. No. 495/2011, seeking leave to appeal against the acquittal of the accused-Amit Aishwarya Jogi was filed way back in the year 2011 by the C.B.I. and after its dismissal by this Court, the same was challenged before the Apex Court by the C.B.I. and the Apex Court, vide order dated 06.11.2025 passed in Criminal Appeal @ SLP(Crl.) No. 3037/2012, remanded the matter back to this Court for fresh consideration on the application for grant of leave to appeal, on merits. Thereafter, the Apex Court, in Cr.A. No. 4805/2024, filed by one of the convict, namely Yahya Dhebhar, while granting bail, has observed that the High Court should expedite the hearing of



the pending matters to the extent possible. In this backdrop, any attempt to protract the hearing on untenable grounds deserves to be deprecated.

Accordingly, the application (IA No. 1/2026) seeking adjournment is hereby **rejected**. However, in the interest of justice, the matters are directed to be listed tomorrow, i.e., 02.04.2026, to afford an opportunity to the learned counsel for the accused-Amit Aishwarya Jogi, to prepare the case and make appropriate submissions.

It is further made clear that if the counsel engaged by the accused-Amit Aishwarya Jogi is not ready to argue the matter tomorrow, this Court shall pass appropriate orders.

Let these matters be listed again tomorrow i.e. on **02.04.2026** for **final hearing**.

Sd/-
(Arvind Kumar Verma)
JUDGE

Sd/-
(Ramesh Sinha)
CHIEF JUSTICE