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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

CRL.M.C. 2328/2021 & CRL.M.A. 15487/2021

HCL TECHNOLOGIES LIMITED, THROUGH MR.
JYOTIRMAY MISHRA, AUTHORISED REPRESENTATIVE.

.....Petitioner

Through: Mr. Mohit Mathur, Sr. Adv. with
Mr. Nishant Joshi, Mr. Kunal Singh
and Mr. Vikalp Wange, Advs.

versus

NATIONAL CAPITAL TERRITORY OF DELHI THROUGH ITS
NOMINATED COUNSEL MR. KAPIL SHARMA & ANR.

.....Respondents

Through: Mr. Ripudaman Bhardwaj, CGSC
with Mr. Kushagra Kumar and Mr.
Amit Kumar Rana, Advs. for UOI.

20

CRL.M.C. 3347/2021 & CRL.M.A. 20360/2021

INGRAM MICRO INDIA PRIVATE LIMITEDPetitioner

Through: Mr. Promod K. Dubey, Sr. Adv.
with Mr. Nishant Joshi, Mr. Kunal
Singh, Mr. Vikalp Wange, Mr.
Samarth Panwar and Ms. Khushi
Arora, Advs.

versus

SERIOUS FRAUD INVESTIGATION OFFICERespondent

Through: Mr. Anshuman, SPC.

21

CRL.M.C. 177/2022 & CRL.M.A. 667/2022

HCL INFOSYSTEMS LIMITEDPetitioner

Through: Mr. Mohit Mathur, Sr. Adv. with
Mr. Nishant Joshi, Mr. Kunal Singh



and Mr. Vikalp Wange, Adv.

versus

NATIONAL CAPITAL TERRITORY OF DELHI THROUGH
STANDING COUNSEL (CRIMINAL) MR. KAPIL SHARMA &
ANR.Respondents

Through: Mr. Ripudaman Bhardwaj, CGSC
with Mr. Kushagra Kumar and Mr.
Amit Kumar Rana, Adv. for UOI.

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CRL.M.C. 5567/2022

M/S NIIT LTD

.....Petitioner

Through: Mr. Sumeet Verma, Sr. Adv. wit
Mr. Mahinder Pratap Singh and Ms.
Charu Verma, Adv.

versus

SFIO

.....Respondent

Through: Ms. Nidhi Raman, CGSC with Mr.
Rahul Kumar Sharma, Mr. Arnav
Mittal and Mr. Akash Mishra,
Adv.

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

28.04.2026

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1. At the outset, learned senior counsels for the petitioners while commencing their submissions, have drawn the attention of this Court to the letter F.No.5/2/2016-CL.II dated 24.01.2017 issued by the Ministry of Corporate Affairs to the Director, SFIO, the contents whereof are reproduced as under:-

“... ..I am directed to invite a reference to the letter of



instructions dated 17-10-2016 by the Ministry in respect of Charge No.1 in respect of the above mentioned report regarding examination of sustainability of the charge u/s 120B of IPC against the beneficiary companies and to direct that no further action is required respect of Charge No.1 pertaining to invoking of provisions of Section 120B of IPC against the beneficiary companies.

2. This issues with the approval of the Competent Authority.....”

2. They submit that the impugned order is liable to set aside in view of the aforesaid.
3. In response, learned counsel for SFIO seeks, and is granted, a period of *two weeks* for filing an affidavit clarifying the position *qua* the aforesaid.
4. Renotify on 29.07.2026.
5. Interim order(s), if any, to continue till the next date of hearing.
6. A copy of this order be kept in all the connected matters.

SAURABH BANERJEE, J.

APRIL 28, 2026/bh