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

+ CRL.REV.P. 1076/2024 & CRL.M.A. 25800/2024

SUNIL KUMAR SHARMA

.....Petitioner

Through: Mr. Hitender Kapur and Mr. Yatin
Dhawan, Advocates.

versus

CENTRAL BUREAU OF INVESTIGATION

.....Respondent

Through: Mr. Anurag Ahluwalia, Mr. Abhay
Singh and Mr. Hrideyansh Sharma,
Advocates.

+ CRL.REV.P. 1081/2024 & CRL.M.A. 25967/2024

SHYAM BABU

.....Petitioner

Through: Mr. Hitender Kapur and Mr. Yatin
Dhawan, Advocates.

versus

CENTRAL BUREAU OF INVESTIGATION

.....Respondent

Through: Mr. Anurag Ahluwalia, Mr. Abhay
Singh and Mr. Hrideyansh Sharma,
Advocates.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

03.09.2024

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1. The present petitions have been filed challenging the Order dated 24.07.2024 passed by the Ld. Special Judge (PC Act), CBI-06, Rouse Avenue Courts, Delhi framing charges against the Petitioners i.e., Sh. Sunil Kumar Sharma, Junior Engineer and Sh. Shyam Babu, Assistant Engineer.



2. Learned Counsel appearing for the Petitioners draws attention of this Court towards chargesheet and contends that the alleged offence against the accused persons is that plots were being allotted to ineligible persons. It is stated that the question of eligibility of persons had to be determined by the Deputy Director, Assistance Director and Dealing Assistants respectively and after the eligibility of the persons is ascertained, the job of the Petitioners herein was only to ascertain the identity of the persons and handover the plots. It is stated that there is no dispute regarding the identity of the persons and since the Petitioners are nowhere connected with the eligibility of persons, the Petitioners cannot be made responsible for the alleged offence for allotting plots to ineligible persons. It is further stated that in any case, no property has been handed over by the Petitioners therefore no offence has been committed by the Petitioners.

3. Mr. Anurag Ahluwalia, learned Counsel appearing for Respondent/CBI, seeks some time to get instructions on the aforesaid.

4. List on 19.09.2024.

SUBRAMONIUM PRASAD, J

SEPTEMBER 3, 2024

S. Zakir