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

+ CRL.REV.P. 334/2025 & CRL.M.A. 25266/2025

MONIKA SAHAY

.....Petitioner

Through: Mr. Shree Prakash Sinha, Mr. Rakesh Mishra, Mr. Nawalendra Kumar, Ms. Trishla Kumari, Mr. Rishabh Kumar, Advs.

versus

CENTRAL BUREAU OF INVESTIGATIONRespondent

Through: Mr. Rajesh Kumar, SPP CBI with Ms. Mishika Pandita and Mr. Changez Ali Khan, Advs.

+ CRL.REV.P. 336/2025 & CRL.M.A. 25341/2025

ASHUTOSH KUMAR

.....Petitioner

Through: Mr. Shree Prakash Sinha, Mr. Rakesh Mishra, Mr. Nawalendra Kumar, Ms. Trishla Kumari, Mr. Rishabh Kumar, Advs.

versus

CENTRAL BUREAU OF INVESTIGATIONRespondent

Through: Mr. Rajesh Kumar, SPP CBI with Ms. Mishika Pandita and Mr. Changez Ali Khan, Advs.

CORAM:

HON'BLE MR. JUSTICE AJAY DIGPAUL

ORDER

18.09.2025

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1. Learned Counsel for the petitioners, Mr. Shree Prakash Sinha, in an attempt to persuade this Court for grant of stay of the impugned order dated 24.05.2025, submits that the learned Special Judge erred in not appreciating



that the check period in consideration during the course of registration, as reflected in the RC, was 01.01.2008 to 30.04.2016, whereas the chargesheet which had been filed after 7 years of investigation changed the check period to 01.01.1997 - 31.12.2008. He states that this change was made due to the realization that there was no infirmity in the quantum of the petitioner's assets during this period.

2. He further submits that this change in check period was committed with malicious intent, and that in making such change it was not taken into account that Mr. Ashutosh Kumar was not a public servant during the period of 01.01.1997 to 21.12.2008, and even otherwise, he did not join HHEC on or after 09.12.2005 until 09.01.2009, when the alleged assets/income were said to be generated.

3. Learned SPP for the respondent, Mr. Rajesh Kumar, vehemently opposes the grant of stay against the impugned order.

4. Mr. Sinha also raises certain contentions regarding the facts surrounding the dispute to the extent of the quantum of agricultural land belonging to Mr. Ashutosh Kumar and the veracity of the ITRs filed by Ratneshwar Sahai HUF, which he says stand undisputed as per the contents in the chargesheet. Mr. Kumar opposes this claim, arguing that these facts are disputed and they are to be tested at the time of trial.

5. Per order dated 26.08.2025, directions were issued by this Court to the respondent for filing of a response. However, order dated 10.09.2025 allowed the petitioners' early hearing application, due to which it is submitted by Mr. Kumar that a response could not be filed in time.

6. This court is of the view that these issues require deliberation based on a detailed response from the respondent.



7. Let a response to the petitions, as well as the present applications for stay, be filed within a period of 4 weeks from today.
8. List on 12.01.2026.

AJAY DIGPAUL, J

SEPTEMBER 18, 2025

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