

ITEM NO.31

COURT NO.15

SECTION X

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition(s)(Criminal) No(s). 20/2023

SANTOSH JAIN

Petitioner(s)

VERSUS

CENTRAL BUREAU OF INVESTIGATION & ANR.

Respondent(s)

(FOR ADMISSION and IA No.12529/2023-STAY APPLICATION)

Date : 13-03-2023 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE V. RAMASUBRAMANIAN
HON'BLE MR. JUSTICE PANKAJ MITHAL

For Parties

Mr. R Basant, Sr. Adv.
Mr. Vijay Agarwal, Adv.
Mr. Varun K Chopra, Adv.
Mr. Rohin Oza, Adv.
Mr. Yugant Sharma, Adv.
Mr. Mehul Sharma, Adv.
Mr. Dipu K. Jha, Adv.
Mr. Mehul Sharma, Adv.
M/S. Vkc Law Offices, AOR

Mr. Prabhas Bajaj, Adv. (V.C.)

Mr. Maninder Singh, SPP
Mr. Rajesh Batra, SPP
Mr. Prabhas Bajaj, Adv.
Mr. Ansh Singh Luthra Adv.
Mr. Shikhar Adhalia, Adv.
Ms. Sonia K, Adv.
Mr. R.S. Cheema, Sr. Adv.
Mr. Amit Anand Tiwari, Adv.
Mr. Sanchit Guru, Adv.
Mr. Tarannum cheema, Adv.
Ms. Tanvi Anand, Adv.
Mr. Akash Singh, Adv.

Ms. Ameyvikrma Thanvi, Adv.
Ms. Shagun Thakur, Adv.
Mr. B.K. Satija, Adv.

Mr. Arvind Kumar Sharma, Adv.

UPON hearing the counsel the Court made the following
O R D E R

After hearing Shri Basant, learned senior counsel for the petitioner and Shri Cheema, learned Special Public Prosecutor(SPP) appearing for the Central Bureau of Investigation, we are of the view that the prayer made in this writ petition for quashing FIR RC No. 219 2012 E 0009, cannot be entertained on the very pleading of the petitioner that he is not an accused in the FIR filed by the CBI. Additionally, about 35 witnesses have already been examined in connection with the charge arising out of the said FIR. Therefore, the relief prayed by the petitioner for quashing FIR R.C. No. 219 of 2012 E 0009 is dismissed.

That leaves us only with the limited challenge to the complaint filed by the Enforcement Directorate in ECIR/03/HIU/2013. In so far as the same is concerned, issue notice to respondent no. 2, returnable in two weeks.

(SONIA BHASIN)
COURT MASTER (SH)

(RENU BALA GAMBHIR)
COURT MASTER (NSH)