

**CBI vs. Sunil Kumar
RC 44(A)/2006/ACB, CBI**

25.06.2020

Proceedings taken up through Video Conferencing (Cisco Webex) in terms of Order bearing No. R235/RG/DHC/2020 dated 16.05.2020 passed by Hon'ble High Court, Delhi, hosted by Reader of the Court Sh. Davinder Singh Bisht.

Present: Sh. Parmod Singh, Ld. PP for the CBI.

CBI/prosecution has filed an application thereby seeking permission regarding exchange of demonetized trap money amounting to Rs. 10,000/-. It has been stated in the application that case bearing no. RC 44(A)/2006/ACB, CBI, New Delhi was registered on 30.10.2006 u/s 7 of PC Act, 1988 on the basis of a written complaint of Sh. Abu Bakar alleging therein that Sunil Kumar, official of Delhi Police, P.S. Vasant Kunj, New Delhi had demanded illegal gratification of Rs. 10,000/- from the complainant as a motive or reward for not implicating him in a theft case. It is further stated that a trap was laid on 30.10.2006 and abovesaid Sunil Kumar was allegedly caught red handed while demanding and accepting bribe amounting to Rs.10,000/-. Thereafter, chargesheet was filed on 30.04.2007 against abovesaid Sunil Kumar u/s 7, 13(2), 13(1)(d) of PC Act, 1988 after investigation. However, after complete trial, the abovesaid Sunil Kumar was acquitted vide judgment dt. 29/09/2012 and CBI preferred no appeal against the said acquittal.

It has been further stated that the trap amount of Rs. 10,000/- (20 GC notes in the denomination of Rs. 500/- each) was produced by the complainant to CBI vide handing over memo dated 30.10.2006. The handing over memo dated 30.10.2006 contains the serial number of the 20 GC notes produced by the complainant.



It has been further stated that the predecessor of this Court vide order dated 24.03.2017 was pleased to direct the CBI to deposit the trap money amounting to Rs. 10,000/- seized in the instant case and lying in the malkhana, into the Government treasury, as per rules.

It has been further stated that in compliance of order dated 24.03.2017, CBI wrote a letter dated 13.04.2017 to RBI to exchange the old currency notes. However, RBI sent a reply dated 28.11.2018 wherein in para no. 3, it was mentioned that CBI was required to submit certified copies of the amended Court order mentioning the serial numbers of the old currency notes in accordance with Rule 29(a) or rule 2(c) of Government of India notification no. 365 dated 12.05.2017. Consequently, present application has been filed with the prayer that an appropriate order may be passed whereby incorporating the details of the currency notes which was a trap amount produced by the complainant to the CBI.

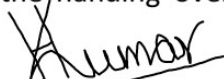
Heard.

Ld. PP for the CBI has submitted in accordance with the contents of the application and has prayed that an order to the effect incorporating the details of the notes be passed.

File perused.

In view of the fact stated in the application, there is no need to issue notice to any other person i.e. either to the complainant Abu Bakar or acquitted accused Sunil Kumar.

The application is annexed with the order of Ld. Predecessor as well as the handing over memo dated 30.10.2006. Let CBI exchange the currency

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notes in the denomination of Rs. 500/- each the details whereof are mentioned below, from the RBI in accordance with the rules formulated by the Government of India for exchanging the demonetized currency notes and thereafter the same may be deposited in the treasury in accordance with the directions issued by the Ld. Predecessor of this Court vide order dated 24.03.2017. The detail of the GC notes (in the denomination of Rs.500/-) to be exchanged is mentioned hereunder:-

| Sr. No. | Number of GC Notes |
|----------------|---------------------------|
| 1. | 4BV 300004 |
| 2. | 4AA 862565 |
| 3. | 4AW 496595 |
| 4. | 6BC 230252 |
| 5. | 1BC 351595 |
| 6. | 2BQ 255369 |
| 7. | 4CR 479456 |
| 8. | 1AD 888813 |
| 9. | 5AD 416966 |
| 10. | 0BE 535613 |
| 11. | 6FB 695453 |
| 12. | 3DH 493813 |
| 13. | 8EG 264166 |
| 14. | 1DB 191610 |
| 15. | 4CD 987565 |
| 16. | 9DK 769390 |
| 17. | 4CQ 875068 |
| 18. | 2CS 092596 |

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| 19. | 2EC 026696 |
| 20. | 6BQ 429584 |

With the allowing of the sole prayer, nothing survives in the application, accordingly, present application stands disposed of as allowed. Record be consigned to record room.

A copy of the order be sent to the Computer Branch for uploading the same on the official website of the Court.

Copy of the order be given dasti to PP for CBI through email.

(Harish Kumar)
Special Judge (PC Act) CBI-20,
Rouse Avenue District Court,
New Delhi/25.06.2020