

**IN THE COURT OF SH. AJAY GULATI**  
**SPECIAL JUDGE (PC ACT), CBI-12,**  
**ROUSE AVENUE DISTRICT COURTS, NEW DELHI.**

**CC No. 283/2019**

**RC No. BD1/2011/E/0002/CBI/BS&FC/DLI**

**U/s 120-B r/w 420, 467, 468, 471 IPC and**

**Section 13 (2) r/w 13 (1)(d) of PC Act, 1988**

**CBI Vs. M/s Texcomash International & Others.**

**05.09.2020**

Present:- Sh. Sukant Vats, Ld. PP for CBI.

Present proceedings have been taken up through video conference hosted by court Reader Sh. Virender Yadav.

An application U/s 17 of PC Act, 1988, moved by CBI has been received yesterday on the e-mail of the court, seeking permission to handover further investigation in the present RC to an officer of the rank of Sub Inspector, CBI.

It has been submitted in the application that charge-sheet in the present RC has already been filed on 13.7.2012 but the further investigation U/s 173 (8) of Cr. P.C is pending in respect of other suspect/accused persons in respect of which Letter Rogatory have been issued to authorities in Hongkong and UAE. Ld. PP submits that the present IO of the case, Sh. Anuj is also handling 2 other important matters and since further investigation in the present case can proceed only after receiving reply to the LR's, Sh. Anuj is sought to be

assigned for other 2 matters only. It is also submitted in the application that other officers of the rank of inspectors are already engaged in investigation of other cases and as such Sh. Amit Kumar, Sub Inspector of Police is sought to be deputed for conducting further investigation of the present case. Additionally, it has been submitted by the Ld. PP that since certain directions have been given by the court on the application filed by applicant Luv Bhardwaj who is not yet an accused, investigation is required to be conducted in this regard. CBI has consequently prayed for grant of permission to Amit Kumar Sub Inspector of Police, CBI, BS&FC, New Delhi for conducting further investigation in the present case U/s 17 of PC Act, 1988.

I have heard the submissions.

Section 17 of the Prevention of Corruption Act, 1988 vests authority in the Metropolitan Magistrate or a Magistrate of First Class, where the investigation is being carried out by an officer under the Delhi Special Police Establishment Act, to permit an officer below the rank of Inspector to conduct such investigation. This Court has powers of a metropolitan magistrate under the PC Act.

Having considered the contents of the application and submissions of the Ld. PP for the CBI, I find it reasonable to allow the application. Application is accordingly allowed and permission is granted for conducting of further investigation in the present case by Sh. Amit Kumar, Sub Inspector of Police, CBI, BS&FC, New Delhi.

**( AJAY GULATI )**

**Spl. Judge (PC Act), CBI-12**

**RADCC/New Delhi/05.09.2020**