

**IN THE COURT OF SHRI PULASTYA PRAMACHALA, SPECIAL JUDGE  
CBI - 13, (PC ACT)  
ROUSE AVENUE DISTRICT COURT, NEW DELHI.**

**CBI v. M/s. Adigear International & Ors.  
RC-BD1/2020/E/0012/BS&FB/CBI/New Delhi  
U/s. 120-B r/w. 420/467/468/471 of IPC & Sec. 13(2) r/w. Sec. 13(1)(d) of PC  
Act, 1988**

21.01.2021

**ORDER:**

1. Vide this order, I shall decide the question raised by this court vide order dated 11.01.2021, so as to seek justification for incorporation of Section 13 (1) d) of the P.C. Act, 1988 (as existing prior to amendment in 2018) and compliance of Section 17A of P.C. Act, 1988 (as amended in 2018), if any.
2. Briefly stated the relevant background of aforesaid question raised by this court is that on 31.12.2020, present FIR was assigned to this court by the vacation judge during winter vacation and same was perused by the undersigned after reopening of the court on 07.01.2021 during physical hearing in the court.
3. This FIR has been registered on the basis of written complaint dated 21.10.2020 made by Sh. Shyam Sunder Narang, Chief Regional Manager, Indian Overseas Bank, New Delhi. The FIR was registered on 30.12.2020 by Banking Securities Fraud Branch, CBI, New Delhi u/s 120-B r/w 420, 467, 468 & 471 of IPC and Section 13(2) r/w 13 (1) (d) of P.C. Act, 1988. The allegations in the complaint have been made against a private firm and four private persons as well as unknown public servants and third parties. Complainant alleged that A1/firm was sanctioned cash credit and LC/LG facilities to the tune of Rs. 42.9 crores and this account became NPA due to non-compliance of

terms and conditions, non-servicing of interest, non-operation in the account and non-creation of securities. Complainant referred to credit facility given to A1/firm, and description of collateral security available with the bank.

4. In column 8 of the complaint, it has been alleged that the firm and its partners malafidely maneuvered transfer of money to it's own accounts in other banks or to it's fictitious suppliers/buyers, thereby siphoning off the funds. It has been further alleged that there was misuse of letter of credit facility of Rs. 5 crores. LC of Rs. 1.83 cores was opened in favour of M/s Fabric World without obtaining credit report of beneficiaries and it was observed that there was no such company at the mentioned address. This firm also opened three LCs favouring M/s KAY PEE Fabrics and Associates for Rs. 3.89 crores for purchase of raw materials. However, as per Delhi Government's VAT record, there was no such firm registered and the accused firm furnished incorrect information regarding units being operated and associate concerns. The accused firm deliberately included stock of its location A-22 and A-49 to fulfill stock requirements, though, in fact at these locations, associates concerns of the accused/firm were operating. Complainant also alleged about misappropriation of funds by the accused/firm, overvalueing the two properties mortgaged as security, so as to misguide the bank and sudden erosion of value of stock with closure of all units, without any information to bank.
5. In column no. 9 pertaining to main role of erring bank official as per the staff accountability report, it has been stated that "no involvement of staff is observed in initial staff accountability examination, but investigation on fraud angle is also completed and further process is under progress. However, during the course of investigation by CBI, if involvement of any public servant is observed, the same may be taken up for permission u/s 17A P.C. Act, 1988."

6. Column 10 of the complaint refers to findings of forensic audit report dated 30.11.2017. Column 12 of the complaint states that “Since internal investigation is yet to be concluded there is uncertainty about involvement of any staff member in the account. As such the complainant bank submit(s) that in case during investigation any involvement of public servant is found during the course of investigation, appropriate action may be initiated against such member.”
7. Thereafter, it is further mentioned that suspect no. 1 is a partnership firm and suspect no. 2 to 5 are it's partners, who in the capacity of partners did all actions on behalf of the firm and defrauded the complainant bank. As a result of fraud perpetrated on the complainant bank, loss to the tune of Rs. 36.05 crores was caused to the complainant bank. Complaint further refers to defrauding of the bank and cheating committed by above-mentioned suspects by misrepresenting the facts. On the basis of aforesaid allegations made in the complaint, FIR was registered by SP, BSFB, CBI, New Delhi for offences as already mentioned herein above.
8. In response to questions raised by this court, in the reply it has been stated that the forensic audit report dated 30.11.2017 is the part and parcel of the complaint lodged by IOB and this report is the basis of the complaint lodged by the bank with CBI. It is further reported by IO that in the forensic audit report, it is mentioned that funds were released to the borrower without complying with the pre-disbursement conditions as per the terms of sanction letter, NOC for taking over the limits from Corporation Bank was not obtained till March 2013, LCs were issued without obtaining credit report of the beneficiaries, power of attorney registered in bank's favour with regard to debtors also were not obtained etc., which disclosed the alleged commission of cognizable offences

punishable u/s 13 (1) (d) of P.C. Act, 1988 (in force at the time of the offences) by unknown public servants.

9. In para 6 of the reply, it is further mentioned by the IO that the instant FIR is based on the findings of forensic audit report, in which it is mentioned about improper end use of funds in respect of working capital limit of Rs. 25 crores, misuse of letter of credit facility of Rs. 5 crores by opening LCs in favour of non-existing firms, misuse of supply bills limit by presenting bills on non-existing firms without proof of movement of goods/lorry receipts, over-valuation of two properties mortgaged as security, transfer of funds to its own accounts in other banks or to fictitious suppliers/buyers – all these aspects were to be ensured by the bank officials/public servants. Out of the sanctioned LC limit of Rs. 5 crores, an LC of Rs. 1.83 crores was opened in favour of M/s Fabric World without obtaining credit report of beneficiaries, which was the duty of public servant/bank official. The value of stock suddenly eroded which shows prima facie non-compliance of sanctioned term with regard to inspection of stocks hypothecated to the bank. Thus, officials/public servants have allegedly extended undue favour to the borrower by abusing their official position which caused wrongful loss to the bank.
10. IO has further referred to judgments passed by Supreme Court of India in the cases of ***Amish Devgan v. Union of India & Ors.*** and ***Dharma Rama Bhagare v. State of Maharashtra.*** Referring to first case, it has been stated that Supreme Court held that FIR is not meant to be detailed document containing chronicle of all intricate and minute details. Referring to second case, it has been stated that Supreme Court held that an FIR is not even considered to be a substantive piece of evidence and can only be used to corroborate and contradict the informant's evidence in the court. Referring to

another case of **Tapan Kumar Singh**, it has been further stated that FIR is not an encyclopedia disclosing all facts and details relating to the offence. IO has further relied upon the observations that “what is essential is that the information must disclose the commission of the cognizable offence and the information must provide basis for the police officer to suspect commission of offence.” IO has further stated that during investigation whenever role of any specific public servant emerges specifically, the compliance of Section 17A of P.C. Act, 1988 will be duly done.

- 11.** Sh. Chandrashekhar, Id. Sr. PP from the branch argued on the lines of aforesaid reply and emphasised that forensic audit report was part and parcel of the complaint. In response to the query of the court, IO confirmed that the forensic audit report has not been made part of the FIR. He submitted that FIR has been lodged on the basis of this report.
- 12.** Mohd. Shakeel, Id. Sr. PP argued that as per Section 157 Cr.P.C. an officer in charge may conduct investigation on the basis of suspicion of commission of a cognizable offence and in the present case, there was material to have suspicion about misuse of public office/post, hence, Section 13 (1) (d) of P.C. Act was incorporated. It was common contention of all PPs and IO that since name of any specific public servant was not known, hence, Section 17 A was not complied at this moment and same shall be complied whenever role of any specific public servant is revealed during the investigation.
- 13.** I have given due attention to the submissions made on behalf of CBI as well as to the case laws. It is beyond any controversy that with registration of FIR, investigation into the offences as alleged in the FIR is undertaken by the investigating agency. However, after amendment in P.C. Act in 2018,

investigation into an offence under the P.C. Act, against any public servant is to be undertaken only after compliance of Section 17A of the P.C. Act.

**14.** Section 17A of PC Act, provides as under:-

No police officer shall conduct any enquiry or inquiry or investigation into any offence alleged to have been committed by any public servant under this Act, where the alleged offence is relatable to any recommendation made or decision taken by such public servant in discharge of his official functions or duties, without the previous approval -

(a).....

(b).....

(c) In the case of any other person, of the authority competent to remove him from his office, at the time when the offence was alleged to have been committed.

**15.** The only exception to aforesaid requirement has also been provided in this law and that exception relates to a case involving arrest of a person on the spot on the charge of accepting or attempting to accept any undue advantage for himself or for any other person (popularly known as trap case).

**16.** First of all, I shall deal with the contention that forensic audit report dated 30.11.2017 is part and parcel of the complaint lodged by complainant. On perusal of the FIR, I find that at Sr. no. 12 under the heading of first information contents, it is mentioned to be attached in a separate sheet as Annexure B. In fact, there are two annexures attached in the FIR, Annexure A describes particulars of accused persons and Annexure B refers to complaint lodged by complainant. On perusal of this Annexure B, I find that it is nowhere mentioned that forensic audit report was being made part of the complaint. It is possible that copy of such report would have been supplied along with the complaint.

However, the complaint i.e. Annexure B of FIR, only shows that allegations made therein were based upon the forensic audit report. The complete report has not been made part of the FIR and in that situation, it cannot be said that such report was part and parcel of the complaint or part and parcel of this FIR. For such reasons only, CBI did not make it part of FIR and did not forward copy of the same with FIR.

17. But in any case, it is beyond any doubt that allegations made in the complaint have their roots in this audit report. Simple question to be addressed here is that whether the complaint disclosed such information, so as to show commission of offence u/s 13 (1) (d) of P.C. Act and could FIR for this offence be registered without compliance of Section 17A of P.C. Act? If I refer to Annexure B of the FIR, one cannot find any allegation of criminal misconduct against any bank official, in the same. In fact, there are specific columns in this complaint i.e. column no. 9 and column no. 12. The column no. 9 refers to name and role of erring bank officials and column no. 12 refers to in case of uncertainty of criminality on the part of bank officials, the bank has mentioned allegations against unknown public servants. These two columns have been specifically provided with purpose to find information regarding commission of any offence under the P.C. Act against any public servant. However, in the present case in both these columns, the complainant has not made any allegation of commission of any offence under P.C. Act against any public servant. Rather, at present these columns show answer in negative regarding role of any bank official. Complainant has taken a stand of uncertainty and has stated that if involvement of any public servant is observed then the same may be taken up for permission u/s 17 A of P.C. Act.

- 18.** If CBI found information in the forensic audit report related to mis-conduct of any public servant/bank official, then it cannot be said that such bank official would be unknown. The argument that the public office was misused, but it is not known as to which public office was misused, is self contradictory. Even if forensic audit report was to be relied upon for the purpose of registration of FIR, it would have been amply clear from it that which particular public office was misused for committing criminal misconduct. For example, if it was so reported that despite such duty cast upon field officer/loan officer to verify the stocks physically or to verify the existence and value of property offered as collateral security etc., he gave a false report, thereby favouring the borrower, in such situation one can surely point out to the public office of field officer/loan officer with reference to his alleged misconduct, rather than taking plea that unknown public office has been misused. Competent authority is identified with reference to a particular public office/post, rather than identity of a public servant. So, it cannot be difficult to ascertain the competent authority or even occupant of a particular office can be ascertained by seeking additional information.
- 19.** Unlike offences under other Act, offence under P.C. Act alleged to be committed by a public servant, can be investigated only after permission obtained from the competent authority. This law shows that before starting a formal enquiry or investigation for offence under P.C Act against any public servant, the investigating agency will have to approach competent authority with all the informations they have, so as to seek such permission and to start a formal enquiry or subsequently an investigation. This legal mandate cannot be bypassed by saying that particulars of public servant are not known though, some unknown public servant has committed criminal misconduct under P.C.

Act. For the purpose of registration of FIR in such matters, the investigating agency cannot be guided by presumptive suspicions or presumptive apprehensions. The objective behind enactment of Section 17 A cannot be defeated by taking a different route.

- 20.** As far as mandate of Section 154 Cr.P.C. is concerned, there is no quarrel with the proposition that police has to register FIR, if information of commission of a cognizable offence is given to him. There is no quarrel with the proposition that FIR is not expected to be encyclopedia of whole case. However, there has to be complete information to disclose commission of cognizable offence. If the informations given by the complainant are incomplete or fall short of disclosing commission of a cognizable offence, in such situation, the investigating agency is well empowered to conduct preliminary enquiry, so as to ascertain all the facts and to form an opinion if such facts disclose commission of a cognizable offence. CBI is already empowered to conduct preliminary enquiry even prior to registration of a case, though, officers of police stations do not enjoy this power in normal circumstances. However, hon'ble Supreme Court in the case of ***Lalita Kumari v. Government of U.P. & Ors. (2014) 2 SCC 1***, permitted even officer in charge of a police station, to conduct preliminary enquiry before registration of FIR to ascertain whether cognizable offence is disclosed or not. Similarly, even CBI can obtain additional information to ascertain if any public office has been misused to commit criminal misconduct, before registering FIR for offence under P.C. Act against any public servant. In fact, only thereafter, they can comply with mandate of Section 17 A, so as to enable themselves to start investigation into such offence. This is the rationale which makes information under columns 9 and 12 of the complaint, relevant here.

21. Reference to case law of **Dharma Rama (supra)** is irrelevant in this proceedings because we are not looking into evidentiary value of FIR at present. As far as argument of Id. Sr. PP based upon Section 157 Cr.P.C. is concerned, hon'ble Supreme Court dealt with such aspect and it shall be relevant to refer to observations made by Supreme Court in this regard. In the case of **State of Haryana v. Bhajan Lal, 1992 Supp (1) SCC 335**, honb'le Supreme Court, while dealing with powers of police to investigate a case, held as under:-

*“48. One should not lose sight of the fact that Section 157(1) requires the police officer to have reason to suspect only with regard to the commission of an offence which he is empowered under Section 156 to investigate, but not with regard to the involvement of an accused in the crime. Therefore, the expression “reason to suspect the commission of an offence” would mean the sagacity of rationally inferring the commission of a cognizable offence based on the specific articulate facts mentioned in the first information report as well in the annexures, if any, enclosed and any attending circumstances which may not amount to proof. In other words, the meaning of the expression “reason to suspect” has to be governed and dictated by the facts and circumstances of each case and at that stage the question of adequate proof of facts alleged in the first information report does not arise. In this connection, we would like to recall an observation of this Court made in State of Gujarat v. Mohanlal J. Porwal [(1987) 2 SCC 364, 369: 1987 SCC (Cri) 364] while interpreting the expression ‘reasonable belief’. It runs thus: (SCC p. 369, para 4)*

*“Whether or not the officer concerned had entertained reasonable belief under the circumstances is not a matter which can be placed under legal microscope, with an over-indulgent eye which sees no evil anywhere within the range of its eyesight. The circumstances have to be viewed from the experienced eye of the officer who is well*

*equipped to interpret the suspicious circumstances and to form a reasonable belief in the light of the said circumstances.*

*51.As pointed out in the earlier part of this judgment, Section 157(1) is qualified by a proviso which is in two parts (a) and (b). Clause (a) of the proviso is only an enabling provision with which we are not very much concerned. However, clause (b) of the said proviso imposes a fetter on a police officer directing him not to investigate a case where it appears to him that there is no sufficient ground in entering on an investigation. As clause (b) of the proviso permits the police officer to satisfy himself about the sufficiency of the ground even before entering on an investigation, it postulates that the police officer has to draw his satisfaction only on the materials which were placed before him at that stage, namely, the first information together with the documents, if any, enclosed. In other words, the police officer has to satisfy himself only on the allegations mentioned in the first information before he enters on an investigation as to whether those allegations do constitute a cognizable offence warranting an investigation.”*

- 22.** Thus, Supreme Court has made it clear that “reasons to suspect the commission of an offence” has to be based upon the facts/informations mentioned in the FIR and in the Annexures. For the purpose of offence under P.C. Act against any public servant, such information/fact arising from the complaint and the attached annexures, if any, have to be brought to the notice of competent authority qua such public servant, in order to seek permission under Section 17 A and only then investigating agency can start investigation into the same. The special law provision applicable to offence under P.C. Act against any public servant has to be given due effect and any reference to general law cannot be of any avail.
- 23.** Even Supreme Court has recognised mandate of compliance of Section 17 A of P.C. Act before registration of FIR for offence under P.C. Act against any public servant. In a recent case of ***Yashwant Sinha v. CBI, (2020) 2 SCC 338,***

honb'le Supreme Court, while dealing with a prayer for registration of FIR, held as under:-

*“115. The petitioners have not sought the relief of a preliminary inquiry being conducted. Even assuming that a smaller relief than one sought could be granted, there is yet another seemingly insuperable obstacle.*

*116. In the year 2018, the [Prevention of Corruption \(Amendment\) Act, 2018](#) (hereinafter referred to as '2018 Act' for short) was brought into force on 26.07.2018. Thereunder, [Section 17A](#), a new Section was inserted, which reads as follows:*

*“17A. (1) No police officer shall conduct any enquiry or inquiry or investigation into any offence alleged to have been committed by a public servant under this Act, where the alleged offence is relatable to any recommendation made or decision taken by such public servant in discharge of his official functions or duties, without the previous approval—*

*(a) in the case of a person who is or was employed, at the time when the offence was alleged to have been committed, in connection with the affairs of the Union, of that Government;*

*(b) in the case of a person who is or was employed, at the time when the offence was alleged to have been committed, in connection with the affairs of a State, of that Government;*

*(c) in the case of any other person, of the authority competent to remove him from his office, at the time when the offence was alleged to have been committed:*

*Provided that no such approval shall be necessary for cases involving arrest of a person on the spot on the charge of accepting or attempting to accept any undue advantage for himself or for any other person:*

*Provided further that the concerned authority shall convey its decision under this section within a period of three months, which may, for reasons to be recorded in writing by such authority, be extended by a further period of one month.”*

117. In terms of Section 17 A, no Police Officer is permitted to conduct any enquiry or inquiry or conduct investigation into any offence done by a public servant where the offence alleged is relatable to any recommendation made or decision taken by the public servant in discharge of his public functions without previous approval, inter alia, of the authority competent to remove the public servant from his Office at the time when the offence was alleged to have been committed. In respect of the public servant, who is involved in this case, it is clause (c), which is applicable. Unless, therefore, there is previous approval, there could be neither inquiry or enquiry or investigation. It is in this context apposite to notice that the complaint, which has been filed by the petitioners in Writ Petition (Criminal) No. 298 of 2018, moved before the first respondent-CBI, is done after [Section 17A](#) was inserted. The complaint is dated 04.10.2018. Paragraph 5 sets out the relief which is sought in the complaint which is to register an FIR under various provisions. Paragraphs 6 and 7 of the complaint are relevant in the context of [Section 17A](#), which reads as follows:

“6. We are also aware that recently, Section 17(A) of the act has been brought in by way of an amendment to introduce the requirement of prior permission of the government for investigation or inquiry under the [Prevention of Corruption Act](#).

7. We are also aware that this will place you in the peculiar situation, of having to ask the accused himself, for permission to investigate a case against him. We realise that your hands are tied in this matter, but we request you to at least take the first step, of seeking permission of the government under [Section 17\(A\)](#) of the Prevention of Corruption Act for investigating this offence and under which, “the concerned authority shall convey its decision under this section within a period of three months, which may, for reasons to be recorded in writing by such authority, be extended by a further period of one month”.”

118. Therefore, petitioners have filed the complaint fully knowing that [Section 17A](#) constituted a bar to any inquiry or enquiry or investigation unless there was previous approval. In fact, a request is made to at least take the first step of seeking permission under [Section 17A](#) of the 2018 Act. Writ Petition (Criminal) No. 298 of

2018 was filed on 24.10.2018 and the complaint is based on non-registration of the FIR. There is no challenge to [Section 17A](#). Under the law, as it stood, both on the date of filing the petition and even as of today, [Section 17A](#) continues to be on the Statute Book and it constitutes a bar to any inquiry or enquiry or investigation. The petitioners themselves, in the complaint, request to seek approval in terms of [Section 17A](#) but when it comes to the relief sought in the Writ Petition, there was no relief claimed in this behalf.

119. Even proceeding on the basis that on petitioners complaint, an FIR must be registered as it purports to disclose cognizable offences and the Court must so direct, will it not be a futile exercise having regard to [Section 17A](#). I am, therefore, of the view that though otherwise the petitioners in Writ Petition (Criminal) No. 298 of 2018 may have made out a case, having regard to the law actually laid down in *Lalita Kumari (supra)*, and more importantly, [Section 17A](#) of the Prevention of Corruption Act, in a Review Petition, the petitioners cannot succeed. However, it is my view that the judgment sought to be reviewed, would not stand in the way of the first respondent in Writ Petition (Criminal) No. 298 of 2018 from taking action on Exhibit P1-complaint in accordance with law and subject to first respondent obtaining previous approval under [Section 17A](#) of the Prevention of Corruption Act.”

- 24.** In view of my foregoing discussions and observations, I find that there was no legal justification to incorporate u/s 13 (1) (d) of P.C. Act in the FIR of the present case, without compliance of Section 17 A of P.C. Act. Hence, IO and all concerned officers are directed that irrespective of such inclusion in FIR, they shall not investigate into offence u/s 13 (1) (d) of P.C. Act against any public servant without complying with the mandate of Section 17 A of P.C. Act. At present, the FIR shall be treated for offences u/s 120-B, 420, 467, 468 & 471 of IPC only and investigation should be carried on accordingly. The consequent proceedings shall be maintainable only before the court of Id. CMM, RADC because all these offences under IPC are Magistrate triable offences. Hence, this FIR and related records are remanded to Ld. CMM,

RADC, New Delhi. Jurisdiction of this court can be invoked only after invocation of offence under P.C. Act, by satisfying all legal requirements, as mentioned herein above. In the event of compliance of S.17A of the P.C. Act, IO may add relevant offence under the Act and thereafter, he may apply for transfer of FIR to the Special Court under P.C. Act. This order may be placed before Id. Director, CBI as well, so as to take suitable steps in other similar cases.

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**(Pulastya Pramachala)**  
**Special Judge (CBI-13), PC Act,**  
**RADC, New Delhi/21.01.2021**

**IN THE COURT OF SHRI PULASTYA PRAMACHALA, SPECIAL JUDGE  
CBI - 13, (PC ACT)  
ROUSE AVENUE DISTRICT COURT, NEW DELHI.**

**CBI v. M/s. Adigear International & Ors.  
RC-BD1/2020/E/0012/BS&FB/CBI/New Delhi  
U/s. 120-B r/w. 420/467/468/471 of IPC & Sec. 13(2) r/w. Sec. 13(1)(d) of PC Act,  
1988**

21.01.2021 (At 11:15 AM)

**Presence:** Mohd. Shakeel, Id. Sr. PP and Sh. Neelmani, Id. PP for CBI,  
Sh. Chandra Shekhar, Id. Sr. PP from Branch along with IO/Insp.  
Munna Kumar Singh,  
Sh. Daljeet Singh (reader), Sh. Tarun Aggarwal (ahalmad), Sh. Ganesh  
Singh Rawat (P.A.) and Sh. Rajeev Kumar (P.A.) of this court, are  
present through video conference.

**(Through Cisco Webex Meeting App)**

In continuation of previous order, hearing of this case is being hosted  
by Sh. Daljeet Singh, reader of this court and it is certified that audio and video  
quality of the hearing remained satisfactory.

Reply to notice issued by this court vide order dated 11.01.2021 was  
sent by IO through e-mail. Oral submissions heard on the queries/questions raised  
by this court in its order dated 11.01.2021.

Put up for orders at 03:00 PM.

This order has been passed at my residential office and digitally  
signed. Copy of order is being transmitted to ahalmad electronically for compliance  
and for uploading on the website.

**PULASTYA  
PRAMACHALA**

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Date: 2021.01.21 17:19:43  
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**(Pulastya Pramachala)**  
Special Judge (CBI-13), PC Act,  
RADDC, New Delhi/21.01.2021

**IN THE COURT OF SHRI PULASTYA PRAMACHALA, SPECIAL JUDGE  
CBI - 13, (PC ACT)  
ROUSE AVENUE DISTRICT COURT, NEW DELHI.**

**CBI v. M/s. Adigear International & Ors.  
RC-BD1/2020/E/0012/BS&FB/CBI/New Delhi  
U/s. 120-B r/w. 420/467/468/471 of IPC & Sec. 13(2) r/w. Sec. 13(1)(d) of PC Act,  
1988**

21.01.2021 (At 03:30 PM)

**Presence:** Sh. Neelmani, Id. PP for CBI along with IO/Insp. Munna Kumar Singh, Sh. Daljeet Singh (reader), Sh. Tarun Aggarwal (ahalmad), Sh. Ganesh Singh Rawat (P.A.) and Sh. Rajeev Kumar (P.A.) of this court, are present through video conference.

**(Through Cisco Webex Meeting App)**

In continuation of previous order, hearing of this case is being hosted by Sh. Daljeet Singh, reader of this court and it is certified that audio and video quality of the hearing remained satisfactory.

Vide my separate order of even date, dictated telephonically and announced through video conference, this court has come to the conclusion that there was no legal justification to incorporate Section 13 (1) (d) of P.C. Act in the FIR of the present case, without compliance of Section 17A of P.C. Act.

Hence, IO and all concerned officers are directed that they shall not investigate into offence u/s 13 (1) (d) of P.C. Act against any public servant without complying with the mandate of Section 17-A of P.C. Act and at present, the FIR shall be treated for offences u/s 120-B, 420, 467, 468 & 471 of IPC only and investigation should be carried on accordingly.

It is further directed that the consequent proceedings shall be maintainable only before the court of Id. CMM, RADC, New Delhi, as all aforesaid offences under IPC are Magistrate triable offences. Ahalmad is directed to send this FIR with all the related records to the court of Id. CMM, RADC. Jurisdiction of this court can be invoked only after invocation of offence under P.C. Act, by satisfying all legal requirements, as mentioned in the separate order of even date.

Copy of main order of even date be sent to IO through mail. A copy be given to Pairavi officer for delivery of the same in the office of Id. Director, CBI.

This order has been passed at my residential office and digitally signed. Copy of order is being transmitted to ahalmad electronically for compliance and for uploading on the website.

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Date: 2021.01.21 17:20:21  
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**(Pulastya Pramachala)**  
Special Judge (CBI-13), PC Act,  
RADC, New Delhi/21.01.2021

**IN THE COURT OF SHRI PULASTYA PRAMACHALA, SPECIAL JUDGE  
CBI - 13, (PC ACT)  
ROUSE AVENUE DISTRICT COURT, NEW DELHI.**

**CBI v. M/s. Shakti Bhog Foods Ltd. & Ors.**

**RC0742020E0014/BS&FB/CBI/New Delhi**

**U/s. 120-B r/w. 420/467/468/471 of IPC & Sec. 13(2) r/w. Sec. 13(1)(d) of PC Act, 1988**

21.01.2021

**ORDER:**

1. Vide this order, I shall decide the question raised by this court vide order dated 11.01.2021, so as to seek justification for incorporation of Section 13 (1) d) of the P.C. Act, 1988 (as existing prior to amendment in 2018) and compliance of Section 17A of P.C. Act, 1988 (as amended in 2018), if any.
2. Briefly stated the relevant background of aforesaid question raised by this court is that on 31.12.2020, present FIR was assigned to this court by the vacation judge during winter vacation and same was perused by the undersigned after reopening of the court on 07.01.2021 during physical hearing in the court.
3. This FIR has been registered on the basis of complaint dated 11.06.2020 made by Sh. Mukesh Kumar Dhingra, DGM, SBI, New Delhi, on behalf of all the lender banks against M/s. Shakti Bhog Foods Ltd. and three private persons in the capacity of Director and Guarantor of aforesaid company as well as unknown public servants and others. Complainant alleged in the complaint that aforesaid accused persons perpetrated fraud by adopting various tactics i.e. by way of over statement of debtor balance and under statement of creditor balance in the stock and receivable statement, projecting fictitious and false damage to inventory due to pest and their sale at

substantial low price, making payments to fictitious entity thereby diverting the fund. It is alleged in the complaint that amount of Rs.3269.42 crore was outstanding towards all the consortium member banks as on 31.03.2020, which is the loss caused to all the banks. Complainant alleged that the accused firm had obtained credit facilities, but he misused the facility to cause loss to the lender bank.

4. On the basis of aforesaid allegations made in the complaint, FIR was registered for aforesaid offences, by SP, BS&FB, CBI, New Delhi for offences as already mentioned herein above. With the complaint, several annexures were attached to explain details of advances given to accused firm, details of securities and the advances given by consortium of bank. This complaint was made on the basis of forensic audit report.
5. In response to questions raised by this court, in the reply IO stated that the allegations in the complaint had their genesis in forensic audit report and accordingly, FIR was registered taking the relevant period for the commission of cognizable offences as mentioned in the said forensic audit report. The main focus of the forensic report and staff accountability report was to locate the reason of financial loss to the bank leaving behind the criminal conspiracy angle between the company and bankers as it falls out of its jurisdiction. IO further reported that the main allegation in the forensic audit report is in respect of commission of offences of cheating and fabricated documents. IO has though, stated that the debtors and creditors balance is subject matter of verification by bank official, loss of stock on account of damage due to pest was subject to the periodical stock verification by the bank officer and there was normal banking practice of verification of transport receipts by the bank officer. IO has further reported that present FIR was registered in order to

investigate the larger conspiracy between the FIR named accused persons and unknown public servants, who were bound by their duties.

6. IO has further referred to judgments passed by Supreme Court of India in the cases of ***Amish Devgan v. Union of India & Ors.*** and ***Dharma Rama Bhagare v. State of Maharashtra.*** Referring to first case, it has been stated that Supreme Court held that FIR is not meant to be detailed document containing chronicle of all intricate and minute details. Referring to second case, it has been stated that Supreme Court held that an FIR is not even considered to be a substantive piece of evidence and can only be used to corroborate and contradict the informant's evidence in the court. Referring to another case of ***Tapan Kumar Singh***, it has been further stated that FIR is not an encyclopedia disclosing all facts and details relating to the offence. IO has further relied upon the observations that “what is essential is that the information must disclose the commission of the cognizable offence and the information must provide basis for the police officer to suspect commission of offence.”
7. Sh. Chandrashekhar, Id. Sr. PP from the branch argued on the lines of aforesaid reply and emphasised that forensic audit report was part and parcel of the complaint. In response to the query of the court, IO confirmed that the forensic audit report has not been made part of the FIR. He submitted that FIR has been lodged on the basis of this report.
8. Mohd. Shakeel, Id. Sr. PP argued that as per Section 157 Cr.P.C. an officer in charge may conduct investigation on the basis of suspicion of commission of a cognizable offence and in the present case, there was material to have suspicion about misuse of public office/post, hence, Section 13 (1) (d) of P.C. Act was incorporated. It was common contention of all PPs and IO that since

name of any specific public servant was not known, hence, Section 17 A was not complied at this moment and same shall be complied whenever role of any specific public servant is revealed during the investigation.

**9.** I have given due attention to the submissions made on behalf of CBI as well as to the case laws. It is beyond any controversy that with registration of FIR, investigation into the offences as alleged in the FIR is undertaken by the investigating agency. However, after amendment in P.C. Act in 2018, investigation into an offence under the P.C. Act against any public servant, is to be undertaken only after compliance of Section 17A of the P.C. Act.

**10.** Section 17A of PC Act, provides as under:-

No police officer shall conduct any enquiry or inquiry or investigation into any offence alleged to have been committed by any public servant under this Act, where the alleged offence is relatable to any recommendation made or decision taken by such public servant in discharge of his official functions or duties, without the previous approval -

(a).....

(b).....

(c) In the case of any other person, of the authority competent to remove him from his office, at the time when the offence was alleged to have been committed.

**11.** The only exception to aforesaid requirement has also been provided in this law and that exception relates to a case involving arrest of a person on the spot on the charge of accepting or attempting to accept any undue advantage for himself or for any other person (popularly known as trap case).

**12.** First of all, I shall deal with the contention that forensic audit report is part and parcel of the complaint lodged by complainant. On perusal of the FIR, I find

that it is nowhere mentioned that forensic audit report was being made part of the complaint. It is possible that copy of such report would have been supplied along with the complaint. However, the complaint only shows that allegations made therein were based upon the forensic audit report. The complete report has not been made part of the FIR and in that situation, it cannot be said that such report was part and parcel of the complaint or part and parcel of this FIR. For such reasons only, CBI did not make it part of FIR and did not forward copy of the same with FIR.

- 13.** But in any case, it is beyond any doubt that allegations made in the complaint have their roots in this audit report. Simple question to be addressed here is that whether the complaint disclosed such information, so as to show commission of offence u/s 13 (1) (d) of P.C. Act and could FIR for this offence be registered without compliance of Section 17A of P.C. Act? If I refer to contents of the FIR, one cannot find any allegation of criminal misconduct against any bank official, in the same. In fact, there are specific columns in this complaint i.e. column no. 9 and column no. 12. The column no. 9 refers to grave irregularities committed by bank officials and column no. 12 refers to action taken by bank against public servants including departmental proceedings initiated, if so details thereof. These two columns have been specifically provided with purpose to find information regarding commission of any offence under the P.C. Act against any public servant. However, in the present case in both these columns, the complainant has not made any allegation of commission of any offence under P.C. Act against any public servant. In column 9, complainant stated that bank is not suspecting involvement of its staff in the fraud perpetrated by accused. In column 12, complainant stated that there was no apparent malafide in the monitoring of

the account, though some minor omissions/ instances of negligence were observed in credit audit report. These have not contributed in the account turning NPA.

- 14.** If CBI found information in the forensic audit report related to mis-conduct of any public servant/bank official, then it cannot be said that such bank official would be unknown. The argument that the public office was misused, but it is not known as to which public office was misused, is self contradictory. Even if forensic audit report was to be relied upon for the purpose of registration of FIR, it would have been amply clear from it that which particular public office was misused for committing criminal misconduct. For example, if it was so reported that despite such duty cast upon field officer/loan officer to verify the stocks physically or to verify the existence and value of property offered as collateral security etc., he gave a false report, thereby favouring the borrower, in such situation one can surely point out to the public office of field officer/loan officer with reference to his alleged misconduct, rather than taking plea that unknown public office has been misused. Competent authority is identified with reference to a particular public office/post, rather than identity of a public servant. So, it cannot be difficult to ascertain the competent authority or even occupant of a particular office can be ascertained by seeking additional information.
- 15.** Unlike offences under other Act, offence under P.C. Act alleged to be committed by a public servant, can be investigated only after permission obtained from the competent authority. This law shows that before starting a formal enquiry or investigation for offence under P.C Act against any public servant, the investigating agency will have to approach competent authority with all the informations they have, so as to seek such permission and to start

a formal enquiry or subsequently an investigation. This legal mandate cannot be bypassed by saying that particulars of public servant are not known though, some unknown public servant has committed criminal misconduct under P.C. Act. For the purpose of registration of FIR in such matters, the investigating agency cannot be guided by presumptive suspicions or presumptive apprehensions. The objective behind enactment of Section 17 A cannot be defeated by taking a different route.

16. As far as mandate of Section 154 Cr.P.C. is concerned, there is no quarrel with the proposition that police has to register FIR, if information of commission of a cognizable offence is given to him. There is no quarrel with the proposition that FIR is not expected to be encyclopedia of whole case. However, there has to be complete information to disclose commission of cognizable offence. If the informations given by the complainant are incomplete or fall short of disclosing commission of a cognizable offence, in such situation, the investigating agency is well empowered to conduct preliminary enquiry, so as to ascertain all the facts and to form an opinion if such facts disclose commission of a cognizable offence. CBI is already empowered to conduct preliminary enquiry even prior to registration of a case, though, officers of police stations do not enjoy this power in normal circumstances. However, hon'ble Supreme Court in the case of ***Lalita Kumari v. Government of U.P. & Ors. (2014) 2 SCC 1***, permitted even officer in charge of a police station, to conduct preliminary enquiry before registration of FIR to ascertain whether cognizable offence is disclosed or not. Similarly, even CBI can obtain additional information to ascertain if any public office has been misused to commit criminal misconduct, before registering FIR for offence under P.C. Act against any public servant. In fact, only thereafter, they can comply with mandate of Section 17 A, so as to enable themselves to

start investigation into such offence. This is the rationale which makes information under columns 9 and 12 of the complaint, relevant here.

17. Reference to case law of **Dharma Rama (supra)** is irrelevant in this proceedings because we are not looking into evidentiary value of FIR at present. As far as argument of Id. Sr. PP based upon Section 157 Cr.P.C. is concerned, hon'ble Supreme Court dealt with such aspect and it shall be relevant to refer to observations made by Supreme Court in this regard. In the case of **State of Haryana v. Bhajan Lal, 1992 Supp (1) SCC 335**, honb'le Supreme Court, while dealing with powers of police to investigate a case, held as under:-

*“48. One should not lose sight of the fact that Section 157(1) requires the police officer to have reason to suspect only with regard to the commission of an offence which he is empowered under Section 156 to investigate, but not with regard to the involvement of an accused in the crime. Therefore, the expression “reason to suspect the commission of an offence” would mean the sagacity of rationally inferring the commission of a cognizable offence based on the specific articulate facts mentioned in the first information report as well in the annexures, if any, enclosed and any attending circumstances which may not amount to proof. In other words, the meaning of the expression “reason to suspect” has to be governed and dictated by the facts and circumstances of each case and at that stage the question of adequate proof of facts alleged in the first information report does not arise. In this connection, we would like to recall an observation of this Court made in State of Gujarat v. Mohanlal J. Porwal [(1987) 2 SCC 364, 369: 1987 SCC (Cri) 364] while interpreting the expression ‘reasonable belief’. It runs thus: (SCC p. 369, para 4)*

*“Whether or not the officer concerned had entertained reasonable belief under the circumstances is not a matter which can be placed under legal microscope, with an over-*

*indulgent eye which sees no evil anywhere within the range of its eyesight. The circumstances have to be viewed from the experienced eye of the officer who is well equipped to interpret the suspicious circumstances and to form a reasonable belief in the light of the said circumstances.*

51. As pointed out in the earlier part of this judgment, Section 157(1) is qualified by a proviso which is in two parts (a) and (b). Clause (a) of the proviso is only an enabling provision with which we are not very much concerned. However, clause (b) of the said proviso imposes a fetter on a police officer directing him not to investigate a case where it appears to him that there is no sufficient ground in entering on an investigation. As clause (b) of the proviso permits the police officer to satisfy himself about the sufficiency of the ground even before entering on an investigation, it postulates that the police officer has to draw his satisfaction only on the materials which were placed before him at that stage, namely, the first information together with the documents, if any, enclosed. In other words, the police officer has to satisfy himself only on the allegations mentioned in the first information before he enters on an investigation as to whether those allegations do constitute a cognizable offence warranting an investigation.”

18. Thus, Supreme Court has made it clear that “reasons to suspect the commission of an offence” has to be based upon the facts/informations mentioned in the FIR and in the Annexures. For the purpose of offence under P.C. Act against any public servant, such information/fact arising from the complaint and the attached annexures, if any, have to be brought to the notice of competent authority qua such public servant, in order to seek permission under Section 17 A and only then investigating agency can start investigation into the same. The special law provision applicable to offence under P.C. Act against any public servant has to be given due effect and any reference to general law cannot be of any avail.

19. Even Supreme Court has recognised mandate of compliance of Section 17 A of P.C. Act before registration of FIR for offence under P.C. Act against any public servant. In a recent case of ***Yashwant Sinha v. CBI, (2020) 2 SCC 338***, honb'le Supreme Court, while dealing with a prayer for registration of FIR, held as under:-

*“115. The petitioners have not sought the relief of a preliminary inquiry being conducted. Even assuming that a smaller relief than one sought could be granted, there is yet another seemingly insuperable obstacle.*

*116. In the year 2018, the [Prevention of Corruption \(Amendment\) Act, 2018](#) (hereinafter referred to as '2018 Act' for short) was brought into force on 26.07.2018. Thereunder, [Section 17A](#), a new Section was inserted, which reads as follows:*

*“17A. (1) No police officer shall conduct any enquiry or inquiry or investigation into any offence alleged to have been committed by a public servant under this Act, where the alleged offence is relatable to any recommendation made or decision taken by such public servant in discharge of his official functions or duties, without the previous approval—*

*(a) in the case of a person who is or was employed, at the time when the offence was alleged to have been committed, in connection with the affairs of the Union, of that Government;*

*(b) in the case of a person who is or was employed, at the time when the offence was alleged to have been committed, in connection with the affairs of a State, of that Government;*

*(c) in the case of any other person, of the authority competent to remove him from his office, at the time when the offence was alleged to have been committed:*

*Provided that no such approval shall be necessary for cases involving arrest of a person on the spot on the charge of*

*accepting or attempting to accept any undue advantage for himself or for any other person:*

*Provided further that the concerned authority shall convey its decision under this section within a period of three months, which may, for reasons to be recorded in writing by such authority, be extended by a further period of one month."*

*117. In terms of Section 17 A, no Police Officer is permitted to conduct any enquiry or inquiry or conduct investigation into any offence done by a public servant where the offence alleged is relatable to any recommendation made or decision taken by the public servant in discharge of his public functions without previous approval, inter alia, of the authority competent to remove the public servant from his Office at the time when the offence was alleged to have been committed. In respect of the public servant, who is involved in this case, it is clause (c), which is applicable. Unless, therefore, there is previous approval, there could be neither inquiry or enquiry or investigation. It is in this context apposite to notice that the complaint, which has been filed by the petitioners in Writ Petition (Criminal) No. 298 of 2018, moved before the first respondent-CBI, is done after [Section 17A](#) was inserted. The complaint is dated 04.10.2018. Paragraph 5 sets out the relief which is sought in the complaint which is to register an FIR under various provisions. Paragraphs 6 and 7 of the complaint are relevant in the context of [Section 17A](#), which reads as follows:*

*"6. We are also aware that recently, Section 17(A) of the act has been brought in by way of an amendment to introduce the requirement of prior permission of the government for investigation or inquiry under the [Prevention of Corruption Act](#).*

*7. We are also aware that this will place you in the peculiar situation, of having to ask the accused himself, for permission to investigate a case against him. We realise that your hands are tied in this matter, but we request you to at least take the first step, of seeking permission of the government under [Section 17\(A\)](#) of the Prevention of Corruption Act for investigating this offence and under which, "the concerned authority shall convey its decision under this section within a period of three months, which may, for reasons to*

*be recorded in writing by such authority, be extended by a further period of one month”.*

*118. Therefore, petitioners have filed the complaint fully knowing that [Section 17A](#) constituted a bar to any inquiry or enquiry or investigation unless there was previous approval. In fact, a request is made to at least take the first step of seeking permission under [Section 17A](#) of the 2018 Act. Writ Petition (Criminal) No. 298 of 2018 was filed on 24.10.2018 and the complaint is based on non-registration of the FIR. There is no challenge to [Section 17A](#). Under the law, as it stood, both on the date of filing the petition and even as of today, [Section 17A](#) continues to be on the Statute Book and it constitutes a bar to any inquiry or enquiry or investigation. The petitioners themselves, in the complaint, request to seek approval in terms of [Section 17A](#) but when it comes to the relief sought in the Writ Petition, there was no relief claimed in this behalf.*

*119. Even proceeding on the basis that on petitioners complaint, an FIR must be registered as it purports to disclose cognizable offences and the Court must so direct, will it not be a futile exercise having regard to [Section 17A](#). I am, therefore, of the view that though otherwise the petitioners in Writ Petition (Criminal) No. 298 of 2018 may have made out a case, having regard to the law actually laid down in Lalita Kumari (supra), and more importantly, [Section 17A](#) of the Prevention of Corruption Act, in a Review Petition, the petitioners cannot succeed. However, it is my view that the judgment sought to be reviewed, would not stand in the way of the first respondent in Writ Petition (Criminal) No. 298 of 2018 from taking action on Exhibit P1-complaint in accordance with law and subject to first respondent obtaining previous approval under [Section 17A](#) of the Prevention of Corruption Act.”*

- 20.** In view of my foregoing discussions and observations, I find that there was no legal justification to incorporate u/s 13 (1) (d) of P.C. Act in the FIR of the present case, without compliance of Section 17 A of P.C. Act. Hence, IO and all concerned officers are directed that irrespective of such inclusion in FIR, they shall not investigate into offence u/s 13 (1) (d) of P.C. Act against any public servant without complying with the mandate of Section 17 A of P.C. Act.

At present, the FIR shall be treated for offences u/s 120-B, 420, 467, 468 & 471 of IPC only and investigation should be carried on accordingly. The consequent proceedings shall be maintainable only before the court of Id. CMM, RADC because all these offences under IPC are Magistrate triable offences. Hence, this FIR and related records are remanded to Ld. CMM, RADC, New Delhi. Jurisdiction of this court can be invoked only after invocation of offence under P.C. Act, by satisfying all legal requirements, as mentioned herein above. In the event of compliance of S.17A of the P.C. Act, IO may add relevant offence under the Act and thereafter, he may apply for transfer of FIR to the Special Court under P.C. Act. This order may be placed before Id. Director, CBI as well, so as to take suitable steps in other similar cases.

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**(Pulastya Pramachala)**  
**Special Judge (CBI-13), PC Act,**  
**RADC, New Delhi/21.01.2021**

**IN THE COURT OF SHRI PULASTYA PRAMACHALA, SPECIAL JUDGE  
CBI - 13, (PC ACT)  
ROUSE AVENUE DISTRICT COURT, NEW DELHI.**

**CBI v. M/s. Shakti Bhog Foods Ltd. & Ors.  
RC0742020E0014/BS&FB/CBI/New Delhi  
U/s. 120-B r/w. 420/467/468/471 of IPC & Sec. 13(2) r/w. Sec. 13(1)(d) of PC Act,  
1988**

21.01.2021 (At 11:15 AM)

**Presence:** Mohd. Shakeel, Id. Sr. PP and Sh. Neelmani, Id. PP for CBI,  
Sh. Chandra Shekhar, Id. Sr. PP from Branch along with IO/Insp.  
Amit Kumar,  
Sh. Daljeet Singh (reader), Sh. Tarun Aggarwal (ahalmad), Sh. Ganesh  
Singh Rawat (P.A.) and Sh. Rajeev Kumar (P.A.) of this court, are  
present through video conference.

**(Through Cisco Webex Meeting App)**

In continuation of previous order, hearing of this case is being hosted  
by Sh. Daljeet Singh, reader of this court and it is certified that audio and video  
quality of the hearing remained satisfactory.

Reply to notice issued by this court vide order dated 11.01.2021 was  
sent by IO through e-mail. Oral submissions heard on the queries/questions raised  
by this court in its order dated 11.01.2021.

Put up for orders at 03:00 PM.

This order has been passed at my residential office and digitally  
signed. Copy of order is being transmitted to ahalmad electronically for compliance  
and for uploading on the website.

**PULASTYA  
PRAMACHALA**  Digitally signed by  
PULASTYA PRAMACHALA  
Date: 2021.01.21 17:21:11  
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**(Pulastya Pramachala)**  
Special Judge (CBI-13), PC Act,  
RADC, New Delhi/21.01.2021

**IN THE COURT OF SHRI PULASTYA PRAMACHALA, SPECIAL JUDGE  
CBI - 13, (PC ACT)  
ROUSE AVENUE DISTRICT COURT, NEW DELHI.**

**CBI v. M/s. Shakti Bhog Foods Ltd. & Ors.**

**RC0742020E0014/BS&FB/CBI/New Delhi**

**U/s. 120-B r/w. 420/467/468/471 of IPC & Sec. 13(2) r/w. Sec. 13(1)(d) of PC Act, 1988**

21.01.2021 (At 03:30 PM)

**Presence:** Sh. Neelmani, Id. PP for CBI along with IO/Insp. Amit Kumar, Sh. Daljeet Singh (reader), Sh. Tarun Aggarwal (ahalmad), Sh. Ganesh Singh Rawat (P.A.) and Sh. Rajeev Kumar (P.A.) of this court, are present through video conference.

**(Through Cisco Webex Meeting App)**

In continuation of previous order, hearing of this case is being hosted by Sh. Daljeet Singh, reader of this court and it is certified that audio and video quality of the hearing remained satisfactory.

Vide my separate order of even date, dictated telephonically and announced through video conference, this court has come to the conclusion that there was no legal justification to incorporate Section 13 (1) (d) of P.C. Act in the FIR of the present case, without compliance of Section 17A of P.C. Act.

Hence, IO and all concerned officers are directed that they shall not investigate into offence u/s 13 (1) (d) of P.C. Act against any public servant without complying with the mandate of Section 17-A of P.C. Act and at present, the FIR shall be treated for offences u/s 120-B, 420, 467, 468 & 471 of IPC only and investigation should be carried on accordingly.

It is further directed that the consequent proceedings shall be maintainable only before the court of Id. CMM, RADC, New Delhi, as all aforesaid offences under IPC are Magistrate triable offences. Ahalmad is directed to send this FIR with all the related records to the court of Id. CMM, RADC. Jurisdiction of this court can be invoked only after invocation of offence under P.C. Act, by satisfying all legal requirements, as mentioned in the separate order of even date.

Copy of main order of even date be sent to IO through mail. A copy be given to Pairavi officer for delivery of the same in the office of Id. Director, CBI.

This order has been passed at my residential office and digitally signed. Copy of order is being transmitted to ahalmad electronically for compliance and for uploading on the website.

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PULASTYA PRAMACHALA  
Date: 2021.01.21 17:21:39  
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**(Pulastya Pramachala)**  
Special Judge (CBI-13), PC Act,  
RADC, New Delhi/21.01.2021