

RC No. DAI-2018-A-0019
U/s. 120B IPC and 13 (2) R/w. 13 (1) (d) of PC Act
PS : CBI/ACB
Distt.: New Delhi
CBI Vs. Satyender Jain & Ors.

01.07.2021

(Proceedings conducted through VC on Cisco Webex)

Present: Sh. Pankaj Gupta, Ld. Sr. PP for the CBI through VC.
IO Insp. Shyam Rai through VC.
Sh. Manish Kaushik, Ld. Counsel for the applicants
with applicants Ms. Renu Amitabh and Ms. Maya Amitabh
through VC.

Some written submissions on behalf of the applicants have been received through email today morning in support of their pending application seeking release of the locker key. Copy of same is also stated to have been sent on email ID of the IO, which the IO has acknowledged.

Submissions made by Ld. Counsel for applicants as well as Ld. Sr. PP for CBI have also been heard and considered.

This application was filed on 10.06.2021 by the applicants Ms. Renu Amitabh and Ms. Maya Amitabh, i.e. wife and mother respectively of A-3 Manu Amitabh, seeking directions for release of the key no. 243 of their locker being jointly maintained in SBI Moti Bagh Branch, which was seized vide article no.7 of the seizure memo dated 30.05.2018 by the then Investigating Officer (IO) of the case. A copy of above seizure memo has also been filed through email by Ld. Counsel for applicants on 15.06.2021.

In reply dated 14.06.2021 filed to the said application by IO through email, it was submitted that due to change of IO in November, 2019 and the subsequent outbreak of Covid 19 pandemic, the said locker was yet

to be opened and searched for the purposes of investigation. Thereafter, vide order dated 14.06.2021, this court has directed the present IO Insp. Shyam Rai to open the said locker for the purposes of investigation in presence of the applicants or their authorized representatives. In compliance of the said order, the above locker was opened and searched by the IO on 15.06.2021 and one compliance report along with copy of memorandum of operation of the said locker has also been filed by IO on the official email ID of this court on 21.06.2021.

It is gathered from said memorandum of operation of the locker that though some articles of jewelery of golden and white colour (seemingly of diamond, gold and silver) belonging to the applicants were found lying in the said locker, the detailed description of which has been mentioned in the above memorandum, but none of these articles/items has been seized by IO and after noting down their detailed description in the said memorandum, the articles have been put back in the locker. On being asked by the court, IO has also stated that none of the above articles is required to be seized or taken into possession for the purposes of investigation of this case and he has also fairly stated that even key of the said locker is not required for any purposes. It has further been stated on behalf of the applicants that the documents pertaining to most of these jewelery articles showing the source of their acquisition etc. have already been seized during investigation of the case.

Hence, keeping in view all the above facts and circumstances, it is directed that the above locker key no. 243 of the applicants be returned back to them and it is further directed that the applicants shall be at liberty to use and operate the said locker and to deal with the above jewelery articles

as it was being done before registration of the present case and seizure of the key.

The application is being disposed off accordingly with the above directions and observations. Let copy of the order be given dasti to the parties. Let this order be digitally signed and the same be uploaded on official website of the court.

Let Ahlmad to place on record hard copies of the application, along with documents and written submissions filed in support of the same, as well as of the reply and compliance report filed by the CBI, which were earlier filed in a sealed/closed envelopes as per the instant protocol of Covid 19.

(M. K. Nagpal)
Special Judge (PC Act) (CBI)-09,
(MPs/MLAs Cases), RADC,
New Delhi/01.07.2021