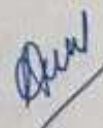


IN THE COURT OF ARVIND KUMAR: SPECIAL JUDGE
CBI-10: ROUSE AVENUE COURTS: NEW DELHI

FIR No. : RC-DAI-2020-A-023
U/S : 120-B of IPC r/w sec.7 of P.C. Act, 1988
(as amended in 2018)
CBI Vs Ajeet Kumar Bhardwaj & Ors.


ORDER

1. Vide this order I will dispose of an application filed by accused Sudhanshu Ranjan for bail.
2. The case of prosecution is that a notice of allotment of plot, in place of Jhuggi No. G-230, Dr. Ambedkar Camp, Nehru Place, New Delhi was given by DDA to one Mr. Kennedy who is known to complainant and the complainant got all the relevant documents of this plot from Kennedy and since then complainant was visiting DDA office for allotment of this plot. In the mean time complainant met accused Sudhanshu Ranjan, AD, DDA and Darban Singh, another DDA employee and informed them that he was selling paper of this plot to some one else and requested them to allot the said plot in the name of Kennedy. It is alleged that Sudhanshu Ranjan and Darban Singh asked complainant for bribe of Rs. 4 Lac from the person to whom he was selling the said papers. A trap was laid on



14.08.20 and accused Darban Singh, Security Guard and Ajeet Kumar Bhardwaj, SSA were caught red handed while demanding Rs. 4 Lac and accepting the bribe of Rs.1 Lac from complainant and the bribe amount of Rs. 1 Lac was recovered from the bag of Darban Singh. Before said trap, verification proceedings were conducted to ensure the demand of bribe. It is alleged that during trap proceedings accused Darban Singh and Ajeet Kumar Bhardwaj disclosed that they were taking bribe on the instructions of Sudhanshu Ranjan, AD and Ajeet Kumar Bhardwaj made a call to Sudhanshu Ranjan in the presence of independent witness and informed that Mohit (complainant) had given only one, as per their code and accused Sudhanshu Ranjan told that "its ok" and that he had already left office. Further, the mobile phone of accused Sudhanshu Ranjan contained the conversation wherein accused Sudhanshu Ranjan is talking to a lady and was stating how they were allotting plot and were demanding money from the allottees and they were getting declaration of the back date and then making entry in the allotment register

3. Further during search at the house of accused Sudhanshu Ranjan one register marked serial no. 13 and 20, Sarita Vihar, Dr. Ambedkar Camp, New Delhi was recovered and it bears entries from 2004 onwards of illegal allottees of DDA land and the register is not official one and further one another register make "Candy" was recovered from office search of accused which contains the list of various illegal allottees. Both these register are not official registers. Further a register titled "Temp Register 21" was recovered from co accused Darban Singh at the time of trap which was allegedly maintained by the accused persons to defraud allottees for illegal gratifications and it contains the entry of plot no. 69,



Part-A-PH-II (page 25) in the name of Kennedy. As per prosecution there is a larger conspiracy and number of plots were allotted illegally.

4. I have heard Ld. counsel for the accused and Ld. Public Prosecutor.

5. Ld. Counsel for accused submitted that accused has been falsely implicated and he is innocent person. It is submitted that accused is 29 years of age with clean antecedents. It is also submitted that trial is not going to start in near future and sufficient conditions can be imposed while granting bail to accused.

6. Ld. Counsel for accused submitted that as per CBI, one Mr. Ajeet Kumar Bhardwaj, Clerk, DDA and Darban Singh, Security Guard have demanded money and were arrested during trap laid down by the CBI. Ld. Counsel for accused submitted that when the alleged successful trap was done, the accused Sudhanshu Ranjan was not there on the spot nor demanded money from the complainant nor accepted any money from the complainant. It is submitted that accused Sudhanshu Ranjan has been arrested on the basis of statement given by complainant that accused had demanded amount of Rs.4 Lac for allotting the plot in favour of one Kennedy who had sold the papers of the plot to complainant, It is submitted that accused Sudhanshu Ranjan was not named in the FIR. Ld. Counsel for accused submitted that the plot to be allotted to Mr. Kennedy was a resettlement plot and cannot be sold, therefore, the very foundation of CBI case is without any basis. Ld. Counsel for accused submitted that CBI failed to do any verification in respect of the complainant about his

genuineness.

7. It is also submitted that there is no chance of applicant influencing the witnesses or tampering with the evidence. It is submitted that there is also no likelihood of accused hampering the investigation. Ld. Counsel for accused also submitted that the recording, as alleged by the CBI officials in their reply cannot be believed or relied upon as no one would record such conversation in his mobile phone. It is also submitted that maximum punishment for alleged offence is only five years, therefore the accused should not have been arrested by the CBI and the CBI has violated the guidelines laid down by Hon'ble Supreme Court in Arnesh Kumar Vs. State of Bihar.

8. Ld. Counsel for the accused has relied upon following judgments (1) Arnesh Kumar Vs. State of Bihar, Cr. Appeal No. 1277/2014 (2) Moti Ram & Ors. Vs. State of Madhya Pradesh, Cr. Misc Petition No. 1649/18 (3) Sanjay Chandra Vs. CBI, Cr. Appeal No. 2178/2011 (4) P.Chidambaram Vs. ED, Cr. Appeal No. 1340/2019 (5) Navendu Babbar Vs State of Delhi, Bail application no. 913/20 (6) Samaj Parivartan Samudaya and Oths. Vs. State of Karnataka and others, (2012) 7 SCC 407.

9. On the other hand, Ld. Public Prosecutor for the CBI contended that accused has demanded bribe for allotting a plot and has taken bribe through co accused Darban Singh and Ajit Kumar Bhardwaj. It is further submitted that in complaint the complainant has clearly named accused and stated that accused Sudhanshu Ranjan and co-accused Darban Singh

had demanded Rs. 4 Lac for allotting the a plot in the name of one Mr. Kennedy. Ld. PP for CBI submitted that a conversation has been found in the mobile phone of accused Sudhanshu Ranjan and he is talking to a lady and explaining his modus operandi regarding allotting a plot on back dates and demanding money from the allottees. Ld. PP for CBI also submitted that one register recovered from the house of accused contains the entries of different plots which were illegally allotted to different persons and investigation on this aspect is going on. It is also submitted that this register is not the official register. It is also submitted that one another register was recovered during office search of accused and it bears the list of various illegal allottees. It is further submitted that the register recovered from the office of the accused is also not a official register. It is also submitted that the register carried by Darban Singh on the day of trap titled "Temp Register 21" was maintained by the accused persons to defraud allottees for illegal gratifications and it contains the entry of plot no. 69, Part-A-PH-II (page 25) in the name of Kennedy. It is submitted that there is a larger conspiracy.

10. Ld. Counsel for the CBI submitted that there is apprehension that accused will try to win over the prosecution witnesses and tamper with evidence at this initial stage of investigation when witnesses from office of the accused are to be examined and documents are also required to be collected. It is submitted that the bail application of accused may ^{be} dismissed as investigation is at very initial stage and there is likelihood of hampering of investigation if the accused is released on bail.

11. Ld. Counsel for CBI relied upon following judgments (1)

Jagjit Singh Vs. CBI, AIR 1962 SC 215 (2) Ram Govind Upadhyay Vs. Sudershan Singh, AIR 2002 SC 1475 (3) State of Rajasthan Vs. Bal Chand, AIR 1977 SC 2447 (4) SFIO Vs. Nittin Johari, 2020-SC-290 (5) Vanketaramannappa & Ors. Vs. State of Karnataka, 1992 CrL.L.J. 2268 (6) Nimmagadda Prasad Vs. CBI, CrL. Appeal No. 728/2013.

12. I have gone through the material on record.

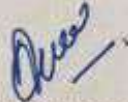
13. The Accused Sudhanshu Ranjan was arrested on 15.8.2020. Accused has demanded money from the complainant and has taken bribe through accused Ajeet Bhardwaj and Darban Singh who were caught red handed. Investigation regarding the unofficial registers recovered from the house and office of the accused, allegedly containing details of illegal allottees, is in progress and there is large number of illegal allotment of DDA plots. The CBI is yet to examine number of witnesses from the office of the accused and is to collect documents from the office of the accused and investigation to unearth larger conspiracy is going on. Thus Keeping in view the facts and circumstances, nature of allegations, gravity of offence and the stage of investigation I am not inclined to grant bail to the accused Sudhanshu Ranjan. The application for bail is therefore dismissed. The judgements referred by the counsel for the accused do not help his case.

14. Signed scanned copy of this order is being sent through whatsapp to Ahlmad of this Court with direction to send the same to concerned official of District Court, RADC for uploading on official website of Delhi District Court.



15. The signed hard copy of the order shall be placed on record as and when the regular functioning of the Courts at Rouse Avenue Complex, New Delhi is resumed. A copy of this order be also sent to counsel for the accused through whats app/email.

(Announced through
Cisco Webex on
10.09.2020)


(Arvind Kumar)
Special Judge, CBI-10
Rouse Avenue Courts
New Delhi

FIR No. : RC-DAI-2020-A-023
U/S : 120-B of IPC r/w sec.7 of P.C. Act, 1988
(as amended in 2018)
CBI Vs Ajeet Kumar Bhardwaj & Ors.

10.09.2020 at 11.00 am

Matter is taken up today and the proceeding are conducted through video conferencing (CISCO WEBEX) as per direction of Hon'ble High Court issued vide Circular No. 322/RG/DHC/2020 dated 15.08.2020 in view of the pandemic Covid-19.

Present: Sh. Naveen Giri, Ld PP for CBI.
Sh. Shailender Babbar , Ld. Counsel for accused
Sudhanshu Ranjan.

Vide separate order, the bail application filed by accused Sudhanshu Ranjan is dismissed.

Copy of the order be sent to Ld. Counsel for accused as well as to Ld. Counsel for CBI through whatsapp/ email.

Signed copy of this order is being sent through whatsapp to Ahlmad of this Court with direction to send the same to concerned official of District Court, RADC for uploading on official web site of Delhi District Court.



The hard copy of the order shall be placed on record as and when the regular functioning of the courts at Rouse Avenue Complex, New Delhi is resumed.



(Arvind Kumar)
Special Judge (PC Act) CBI-10
Rouse Avenue Courts
New Delhi/10.09.2020

RC No. : 2017 2011 A 0012
Branch : ACU-V/CBI/New Delhi
U/s : 109 IPC and U/s 13 (2)
r/w 13 (1) (e) P.C. Act
CBI Vs K. Dhanalakshami

10.09.2020

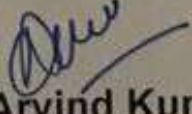
Matter is taken up today and the proceeding are conducted through video conferencing (CISCO WEBEX) as per direction of Hon'ble High Court issued vide Circular No. 322/RG/DHC/2020 dated 15.08.2020 in view of the pandemic Covid-19.

Present: Sh. Navin Kumar Giri, Ld. PP for CBI.
Sh. Gurpreet Singh, Ld. Counsel for accused
K.Dhanalakshmi.

Put up on 26.09.2020 for arguments on charge.

Signed copy of this order is being sent through whatsapp to Ahlmad of this Court with direction to send the same to concerned official of District Court, RADC for uploading on official web site of Delhi District Court.

The hard copy of the order shall be placed on record as and when the regular functioning of the courts at Rouse Avenue Complex, New Delhi is resumed.


(Arvind Kumar)
Special Judge (PC Act) CBI-10
Rouse Avenue Courts
New Delhi/10.09.2020

CC No. : 01/2015
ECIR No. : DLZO/15/2014/AD(VM)
U/S : 3 & 4 of PMLA Act
Directorate of Enforcement Vs. Gautam Khaitan & Ors.

10.09.2020

Matter is taken up today and the proceeding are conducted through video conferencing (CISCO WEBEX) as per direction of Hon'ble High Court issued vide Circular No. 322/RG/DHC/2020 dated 15.08.2020 in view of the pandemic Covid-19.

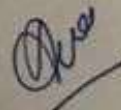
Present: Sh. N. K. Matta and Mohd. Faraz Ld. SPPs for ED.
Sh. Saurabh Arora, AD for ED.
Sh. Raj Mohan Ld. Sr. PP for CBI.
Sh. R. A. Yadav, Addl. S.P for CBI.
Sh. Rajat Manchanda, Ld. Counsel for accused Shivani Rajiv Saxena and Rajiv Saxena.

Arguments on application filed by CBI for impleadment in the proceedings on the application filed by Rajiv Saxena for permission to travel abroad, heard.

Arguments also heard on application filed by Rajiv Saxena and accused Shivani Rajiv Saxena for permission to travel abroad.

Put up on 14.09.2020 for order on the application filed by accused Shivani Rajiv Saxena for permission to travel abroad.

Put up on 19.09.2020 for order on the application filed Rajiv Saxena for permission to travel abroad as well as on the application filed by CBI for impleadment in the proceedings.



Vide separate order, the application filed by ED for issuing LR to Swiss Confederation is allowed.

At this stage, Mr. Matta Ld. Counsel for ED submits that he has filed an application for permission to interrogate Christian Michel James in Tihar Jail.

Put up on 14.09.2020 for consideration on the aforesaid application.

Signed copy of this order is being sent through whatsapp to Ahlmad of this Court with direction to send the same to concerned official of District Court, RADDC for uploading on official web site of Delhi District Court.

The hard copy of the order shall be placed on record as and when the regular functioning of the courts at Rouse Avenue Complex, New Delhi is resumed.

(Arvind Kumar)
Special Judge (PC Act) CBI-10
Rouse Avenue Courts
New Delhi/10.09.2020

