

THE COURT OF ANURADHA SHUKLA BHARDWAJ JUDGE CBI – 21 ROUSE AVENUE DISTRICT COURT NEW
DELHI

Case no RC-DAI-2020-A-0016

U/S 7 of PC Act (as amended in 2018)

CBI versus Sanjeev Kumar

ORDER on bail application of the accused Sanjeev Kumar

The hearing of the present application was taken up via Zoom meeting app in the presence (onscreen) of

Sh. U. C. Saxena Senior PP from CBI
Inspector Bhanwar Lal Jat Inspector, IO of the case
Sh Sanjay Gupta Advocate, Counsel for the applicant

1. Applicant Sanjeev Kumar has moved this application under section 439 of Cr.P.C seeking grant of regular bail.
2. It is alleged that the applicant had demanded bribe of Rs 10lakh from complainant Sanjay Gupta initially in the year 2018 to close a case against him. The chargesheet was filed in the said case in which quashing petition have been initiated. The second incident is stated to be related to his brother Rajiv Gupta. It is stated his brother had some disputes with the applicant, which case was again marked to the applicant. The applicant demanded a sum of Rs 30 Lakhs from the complainant. Verification proceedings were initiated and taken up twice on 17-03-2020 & 18-03-2020. The accused was arrested in a trap on 19-03-2020 and since then he is in custody. It is alleged that from the car of the applicant an amount of RS 4 lakhs was recovered.
3. The application has been filed on the ground that the accused has been falsely implicated as the complainant was holding a grudge against him. Nothing could be found in the first verification report. In the second verification also there is nothing against the accused showing a demand made by him. It was also argued that nothing was recovered from the house search of the applicant. The alleged demand was made on 05-03-2020 and the complaint was given on 17-03-2020 after a delay of 12 days. It was argued that the accused is not required for investigation. No recovery is to be affected. There is no likelihood of tampering. The accused has no male member in his family. His wife is a private tutor and he has two daughters in class 12 and 6.

4. Ld. PP has opposed the application on the ground that there was a clear demand; recovery of Rs 4,00,000/ was effected from the car of the applicant by the independent witness. Investigation is going on. The applicant is in Delhi Police and is an influential person. The statements of witnesses, including that of the complainant, are yet to be recorded. The applicant may in such circumstances influence the complainant and other witnesses.
5. In view of the facts as they are the investigation is at the initial stages. The Investigating Officer says that he has yet to record the statement of the complainant and also says that the applicant may try to influence the witness. The application of accused Sanjeev Kumar seeking grant of bail is dismissed at this stage.
6. The prosecution has filed an application seeking extension of Judicial Custody of the accused pending investigation. For the reasons already recorded accused is remanded to Judicial Custody till 14-04-2020.
7. A copy of this order is being mailed to Sh Anil Kumar on his email id ak1655@gmail.com for further action. The order shall be communicated by Sh Anil Kumar to the Ld. Counsel for the applicant; Ld. Prosecutor and the IO and shall be sent to the Jail authorities as per the procedure being adopted in this regard. A copy of the order shall also be retained on record to be put in the judicial file as and when normalcy is restored.

Dated 01-04-2020

Anuradha Shukla Bhardwaj
Special Judge PC Act
RADC New Delhi