

State Vs. Sunil Thapliyal s/o Sh. Harish Chander Thapliyal
FIR No. 02/2020

PS Anti Corruption Branch
U/s 7 of POC Act 1988 and Section
420/467/468/471/120B IPC

22.05.2020

Present:- Mr. Jagdamba Pandey, Addl. PP for State.

Sh. Gaurav Goyal, counsel for applicant Sunil Thapliyal.

IO Insp. Bhagwan Singh.

This is an application moved with the prayer for extension of interim bail as granted by the Id. Predecessor of this court who took up the matter by video conferencing on 03.04.2020. It appears from the record put up before me that bail application was moved by the accused/applicant on 02.04.2020 and same was taken up by Id. Special Judge (CBI) vide on 03.04.2020. It was observed by the Id. Special Judge (CBI) that bail application of co-accused Madan Lal was heard on 30.03.2020. During the hearing of bail application of co-accused Madan Lal IO was directed to collect necessary relevant sheets and documents from Axis Bank as well as from DTTDC.

Facts leading to registration of instant FIR are that co-accused Madan Lal was working as Assistant Manager (Accounts) in DTTDC and he in conspiracy with accused/applicant Sunil Thapliyal, Assistant Manager (IT) forged certain note sheets and got released unauthorised payment to various vendors/suppliers of DTTDC during the period 2017 to 2019. It is alleged against the accused persons that they manipulated the date of TPs, bills and note sheets and authorized payment to certain vendors unauthorisedly. It is alleged that a sum of Rs.68 crores (approx.) were released to different vendors. It is alleged against accused/applicant Sunil Thapliyal that he used to initiate the note sheets



along with excel sheets mentioning the details for taking approval of senior officers regarding payment to suppliers against supply of IMFL and beer. After approval the file containing approval note sheet and excel sheet reached to co-accused Madan Lal who in conspiracy with accused/applicant Sunil Thapliyal changed the approved note sheets and excel sheets and used to incorporate name of those parties which were not approved for payment in the original note sheet and thus payments used to be made to unapproved parties. It is also alleged that in this process RTGS sheets were also manipulated and submitted to the Axis bank for payments and from Axis bank original RTGS sheets are yet to be collected.

On 03.04.2020 Id. Special Judge, PC Act (ACB) Mr.Digvinay Singh taking into consideration the fact that requisite documents as were directed to be collected from Axis Bank and DTTDC could not be collected by the investigating agency, therefore accused/applicant was granted interim bail till date upon his furnishing of bail bond and surety bond for a sum of Rs.50,000/- to the satisfaction of the Duty Magistrate in Tihar Jail. It is in this context the present application has been moved.

In the reply filed by the IO Inspector Bhagwan Singh it is stated that requisition information has not yet been received as he is getting difficulty in getting received the documents due to lock down and it is also stated in the reply that such documents are not likely to be received atleast for next two weeks as necessary documents are to be retrieved from Mumbai office of Axis bank.

Ld. PP has submitted that IO needs some more time to receive the documents and due to lock down, he is facing difficulty in collecting the documents and that too from the Mumbai office of Axis Bank.



Considering the above mentioned aspect, the interim bail of the accused/applicant Sunil Thapliyal is being extended till 12.06.2020 upon furnishing of fresh bail bond for the sum of Rs.50,000/- with one surety of the equal amount to the satisfaction of the Ld. CMM/ ACMM at Rouse Avenue District Court.

Application accordingly disposed off.



(Shailender Malik)
Special Judge (PC Act) CBI
Rouse Avenue Courts, New Delhi
22.05.2020

State Vs. Madan Lal s/o Dharampal
FIR No.02/2020
PS Anti Corruption Branch
U/s 7 of POC Act 1988 and Section
420/467/468/471/120B IPC

22.05.2020

Present:- Mr. Jagdamba Pandey, Addl. PP for State.
Sh.Manoj Sonkar, counsel for applicant Madan Lal.
IO Insp. Bhagwan Singh.

This is an application moved with the prayer for extension of interim bail as granted by the ld. Predecessor of this court who took up the matter by video conferencing on 30.03.2020. It appears from the record put up before me that bail application was moved by the accused/applicant Madan Lal on 12.03.2020 and ld. Special Judge (CBI) vide order dated 13.03.2020 directed the IO for collecting necessary relevant sheets and documents from Axis Bank as well as from DTTDC for further consideration of bail application and listed the matter on 30.03.2020. Since in the meantime Government of India ordered for lock down due to pandemic of Novel Coronavirus, proceedings in this matter were taken up by video conferencing.

Facts leading to registration of instant FIR are that accused Madan Lal was working as Assistant Manager (Accounts) in DTTDC and he in conspiracy with co-accused Sunil Tyapliyal, Assistant Manager (IT) forged certain note sheets and got released unauthorized payment to various vendors/suppliers of DTTDC during the period 2017 to 2019. It is alleged against the accused persons that they manipulated the date of TPs, bills and note sheets and authorized payment to certain vendors unauthorizedly. It is alleged that a sum of Rs.68 crores (approx.) were released to different vendors. It is alleged against co-accused Sunil Thapliyal



that he used to initiate the note sheets along with excel sheets mentioning the details for taking approval of senior officers regarding payment to suppliers against supply of IMFL and beer. After approval the file containing approval note sheet and excel sheet reached to accused Madan Lal who in conspiracy with co-accused changed the approved note sheets and excel sheets and used to incorporate name of those parties which were not approved for payment in the original note sheet and thus payments used to be made to unapproved parties. It is also alleged that in this process RTGS sheets were also manipulated and submitted to the Axis bank for payments and from Axis bank original RTGS sheets are yet to be collected.

On 30.03.2020 ld. Special Judge, PC Act (ACB) Mr.Digvinay Singh taking into consideration the fact that requisite documents as were directed to be collected from Axis Bank and DTTDC could not be collected by the investigating agency, therefore accused/ applicant was granted interim bail till date upon his furnishing of bail bond and surety bond for a sum of Rs.50,000/- to the satisfaction of the Duty Magistrate in Tihar Jail. It is in this context the present application has been moved.

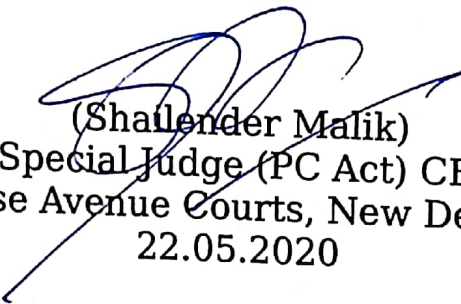
In the reply filed by the IO Inspector Bhagwan Singh it is stated that requisition information has not yet been received as he is getting difficulty in getting received the documents due to lock down and it is also stated in the reply that such documents are not likely to be received atleast for next two weeks as necessary documents are to be retrieved from Mumbai office of Axis bank.

Ld. PP has submitted that IO needs some more time to receive the documents and due to lock down, he is facing difficulty in collecting the documents and that too from the Mumbai office of Axis Bank.



Considering the above mentioned aspect, the interim bail of the accused/applicant Madan Lal is being extended till 12.06.2020 upon furnishing of fresh bail bond for the sum of Rs.50,000/- with one surety of the equal amount to the satisfaction of the Ld. CMM/ACMM at Rouse Avenue District Court.

Application accordingly disposed off.


(Shalender Malik)
Special Judge (PC Act) CBI
Rouse Avenue Courts, New Delhi
22.05.2020

CBI v. Dr.S.P. Gautam & Ors.

22.05.2020

Present:- Mr. Lalit Mohan, PP for CBI.

Sh.Manish Tiwari, counsel for accused no.3/applicant

Navneet Bhutani.

HIO S.K. Tiwari.

This application has been taken up by video conferencing in terms of Circular of the Office of Ld. District & Sessions Judge-cum-Special Judge (CBI), Rouse Avenue District Court dated 30.03.2020.

An application has been moved seeking renewal of passport of accused no.3/applicant Navneet Bhutani. It is stated that passport no.Z4430725 is due to expire on 11.07.2020. It is stated that since applicant intends to visit abroad as and when lock down would be lifted by the Government of India. Since it is required under the rules that passport must be having validity of six months prior for applying for visa or for going to abroad, therefore application has been moved for renewal of passport.

Ld. PP for CBI has submitted that he has not received requisite reply from the concerned branch of CBI, however he submits that there is no urgency in the application.

Ld. Counsel for the applicant Sh.Manish Tiwari submitted that urgency lies in the application itself because there is requirement of rule of six months validity of the passport for applying for visa as and when lock down would be lifted by the government. Ld. Counsel has also pointed out that accused/applicant has also been involved in another case FIR No.09.2018, PS Neb Sarai under Section 341/498A/506/511 IPC. In that matter Ld. Magistrate had already permitted the applicant for renewal of the passport vide order dated 21.05.2020.

In such circumstance there is real urgency for due compliance of rules for renewal of passport for enabling the applicant for going abroad as per rules as and when situation arise for it and lock down is lifted by



the Government of India. Accordingly, application stands allowed and disposed off.



(Shailender Malik)
Special Judge (PC Act) CBI
Rouse Avenue Courts, New Delhi
22.05.2020