

ECIR : DAI-2020-A-0008  
U/S : 7A of P.C. Act  
CBI Vs. Mukesh Kumar

Sh. ARVIND KUMAR  
Special Judge (PC Act), CBI-10  
Room No. 503, Rouse Avenue Court Complex,  
Deen Dayal Upadhyay Marg, New Delhi

13.07.2020

Matter is taken up today and the proceedings are conducted through Video Conferencing (CISCO WEBEX) as per directions of Hon'ble High Court issued vide Circular No.16/DHC/2020 dated 13.06.2020 in view of the pandemic Covid-19.

Present : Sh. Navin Kumar Giri, Ld. PP for CBI.  
Sh. Satish Kumar, Ld. Counsel for accused  
Mukesh Kumar.

Ld. Counsel for CBI submits that he could not send copy of reply to Ld. Counsel for accused. He submits that he is sending the reply to Ld. Counsel for accused through email.

Ld. Counsel for accused submits that he has filed an application for release of two mobile phones and cash of Rs.16,000/- which were seized at the time of personal search of accused on 17.02.2020. Ld. Counsel for accused further submits that the aforesaid items are no more required for the purpose of investigation and are liable to be released.

Reply has already been filed by CBI.



*[Handwritten signature]*

Ld. Counsel for CBI submits that during personal search of the accused, two mobile phones and Rs.16,000/- (7 GC notes of Rs. 2000/- and 4 GC notes of Rs. 500/-) were seized from the accused. Ld. Counsel for CBI submits that accused was in regular touch with co-accused Mukesh Kumar Meena and Sachin Sharma through the above mentioned mobile phones, hence, these mobile phones are required for the purpose of investigation to find out if they contain any whatsapp chat and call recordings made/received by him with co-accused persons. Ld. Counsel for CBI further submits that if any incriminating material is found therein, the said mobile phones would be relied upon for the purpose of trial.

Ld. PP further submits that he has talked to IO and IO submits that he needs one month's time to check the details contained in the said mobile phone. Ld. PP further submits that CBI has no objection if the cash amount of Rs.16,000/- is released to the accused.

At this stage Ld. Counsel for accused submits that considering the submissions made by Ld. PP for CBI, he is not pressing for release of two mobile phones but the cash amount of Rs. 16,000/- may be released to accused. Ld. Counsel further submits that he may be granted liberty to move fresh application for release of mobile phones after one month.

Thus, keeping in view the submissions made by the counsels, the CBI is directed to release Rs.16,000/- seized from accused at the time of his arrest. The accused is at liberty to file fresh application for release of two mobile phones after one month and the same shall be considered as per law.

**The application filed by accused is accordingly disposed of.**



*Arvind Kumar*



**Sh. ARVIND KUMAR**  
Special Judge (PC Act), CBI-10  
Room No. 503, Rouse Avenue Court Complex,  
Deen Dayal Upadhyay Marg, New Delhi


At this stage Ld. PP for CBI has pointed out that the accused may coordinate with IO and IO will release the said money to accused.

Copy of this order be sent to Ld. PP for CBI as well as Ld. Counsel for accused.

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 website of Delhi District Court.

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.



  
(Arvind Kumar)  
Special Judge CBI-10  
Rouse Avenue Courts  
New Delhi/13.07.2020

Special Judge (PC Act) CBI-10  
Room No. 503, Rouse Avenue Court Complex,  
Deen Dayal Upadhyay Marg, New Delhi