

ITEM NO.14

COURT NO.1

SECTION X

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Writ Petition(s) (Civil) No(s). 418/2015

PRASHANT PANDEY

Petitioner(s)

VERSUS

CENTRAL BUREAU OF INVESTIGATION THROUGH DIRECTOR Respondent(s)

(FOR STAY APPLICATION ON IA 1/2015  
FOR APPROPRIATE ORDERS/DIRECTIONS ON IA 39912/2017)

Date : 21-07-2017 This petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE DR. JUSTICE D.Y. CHANDRACHUD

For Petitioner(s)	Mr. K.T.S. Tulsi, Sr. Adv. Mr. Vivek K. Tankha, Sr. Adv. Ms. Indira Jaising, Sr. Adv. Mr. Vaibhav Srivastava, Adv. Mr. Sachin Pujari, Adv. Mr. Varun Tankha, Adv. Mr. Yagyavalk Shukla, Adv. for Ms.Rakhi Ray, AOR
For Respondent(s) (CBI)	Mr. Ranjit Kumar, SG Mr. Maninder Singh, ASG Mr. R. Balasubramanian, Adv. for Mr. Mukesh Kumar Maroria, AOR
State of MP	Mr. Purushaindra Kaurav, AAG Mr. Mishra Saurabh, AOR Mr. Ankit Kr. Lal, Adv. Ms. Anuradha Mishra, Adv. Ms. Vanshuja Shukla, Adv.

UPON hearing the counsel the Court made the following  
O R D E R

1. The only contention raised at the behest of the petitioner, during the course of hearing today, is with reference to an earlier order passed by this Court on 15.12.2016 in Writ Petition (C) No. 417 of 2015, wherein this Court had made the

following observations in paragraphs 4 and 5:

"4. Insofar as prayer (c) is concerned, the order of this Court dated 29.08.2016 would indicate that the C.B.I. had sent the disputed Excel file (Hard Disk and Pen Drive) for analysis to the C.F.S.L., Hyderabad. The report thereof has been received and is in the custody of the C.B.I. The same has been offered for perusal by the Court.

5. We are not inclined to examine the said report and comment on the veracity thereof. All that we would concerned is that the submission of the said report by the C.F.S.L. takes care of prayer (c) and also the prayers made at (a). The said report of the C.F.S.L. be submitted to the competent C.B.I. Court for being dealt with in accordance with law."

2. A perusal of the aforesaid paragraphs leaves no room for any doubt, that the report of the C.F.S.L. was to be submitted to the competent C.B.I. Court, for being dealt with in accordance with law. In this behalf, the solitary contention advanced at the behest of the petitioner, during the course of hearing today, was that the aforesaid C.F.S.L. report has still not been furnished to the competent C.B.I. Court.

3. Mr. Ranjit Kumar, learned Solicitor General of India states, that the respondent - C.B.I. is bound to carry out the directions of this Court including the direction to submit the report of the C.F.S.L. to the competent C.B.I. Court, for being dealt with in accordance with law. It is further pointed out, that the said C.F.S.L. report will be appended to the final report under Section 173 of the Code of Criminal Procedure, and placed for the consideration of the competent C.B.I. Court.

4. In view of the statement made to this Court by the learned Solicitor General of India, we find no justification in

retaining the instant matter any further. We therefore dispose of the instant matter with a clarification, that the competent C.B.I. Court shall take its independent decision on the afore-stated C.F.S.L. report, in consonance with law. We also consider it appropriate to direct, that the final report as indicated above shall be submitted to the concerned C.B.I. Court, on or before 31.10.2017.

5. Disposed of in the aforesaid terms.

(PARVEEN KUMAR)  
AR CUM PS

(RENUKA SADANA)  
ASST.REGISTRAR