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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(CRL) 1242/2022, CRL.M.A. 10624/2022, CRL.M.A. 17443/2022, CRL.M.A. 17930/2022, CRL.M.A. 18958/2022, CRL.M.A. 19760/2024, CRL.M.A. 36690/2024,

VINOD KUJMAR DANDONA & ORS.Petitioner

Through: Mr. Vikas Pahwa, Sr. Adv. with Ms. Neeha Nagpal, Mr. Arshdeep Singh Khurana,, Mr. Malak Bhatt, Mr.Vishvendra Tomar, Ms. Shreya Shree Singh, Ms. Tannavi Sharma, Ms. Sanskriti Shakuntala, Ms.Namisha & Ms. Aditi Shrivastava, Advocates.

versus

UNION OF INDIA & ANR.Respondent

Through: Mr. Amit Tiwari, CGSC for SFIO with Mr. Devender Pal, Deputy Director, Mr. Piyush Kumar, Sr. Prosecutor, Mr.Vibhav Singh and Mr. Divyanshu Bharadwaj, Mr. Auysh Advocates for R-2/SFIO

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

ORDER

% **19.12.2024**

CRL.M.A. 36690/2024

The present application has been moved seeking directions to vacate the order dated 09.07.2024.

Learned Central Govt. Standing counsel on instructions withdraws the present application and submits that the matter may be heard finally.

In view of the above, the present application stands disposed of.



**W.P.(CRL) 1242/2022, CRL.M.A. 10624/2022, CRL.M.A. 17443/2022,
CRL.M.A. 17930/2022, CRL.M.A. 18958/2022, CRL.M.A. 19760/2024,**

1. Sh. Vikas Pahwa, learned senior counsel for the petitioner submits that vide the present petition the petitioner has challenged the order dated 17.08.2018 bearing No.1/52/2017-CL passed by respondent No.1. Learned senior counsel submits that this order was passed on the basis of minutes of the meeting of Oversight Committee dated 28.06.2018.
2. Learned senior counsel submits that pursuant to this, the investigation conducted by the Economic Offences wing, Delhi, (EOW), the IO of the SFIO has been found to be in collusion with M/s Raffles Group Limited. Learned senior counsel submits that the matter has emanated out of a dispute between M/s Educomp Solutions Ltd. and M/s M/s Raffles Group Limited.
3. Learned senior counsel submits that this was a commercial venture and M/s Raffles Group Limited wanted to take over the society related to M/s Educomp Solutions Ltd. Learned senior counsel submits that since it did not happen, M/s Raffles Group Limited filed various complaints before various authorities. It has further been submitted that such complaints filed by the M/s Raffles Group Limited led to the various proceedings instituted against the directors of M/s Educomp Solutions Ltd. Learned senior counsel submits that even the charge sheet has been filed by the EOW against Aashish Harita who was investigation Officer of the SFIO. Learned senior



counsel also submits that even learned ACMM has passed certain remarks against Mr. Harvinder Singh who had taken over the investigation from. Aashish Harita. Learned senior counsel submits that the present petition has been filed as all the documents in particular, the chargesheet filed by the SFIO could not have been produced before the learned Special Judge, SFIO.

4. Learned senior counsel for the petitioner submits that the investigation qua the petitioners may be stayed as the investigation cannot be carried out by the investigation officer/Mr Aashish Harita who is himself being investigated by the EOW.
5. Sh. Amit Tiwari, learned Central Govt. Standing counsel has submitted that all the submissions made by the learned senior counsel for the petitioner are factually incorrect and legally untenable. Learned CGSC submitted that the investigation was initiated on the basis of oversight committee minutes dated 28.06.2018 and at that time Mr. Aashish Harita and Mr. Harender Singh had no role. Learned CGSC submits and states at the bar on instructions that the present investigation was not initiated on the basis of any complaint made by the SFIO.
6. Learned standing counsel has submitted that the documents which are allegedly and subject matter of investigation by EOW has not been taken into account by SFIO.
7. Learned CGSC on instructions states that the investigation qua the present petitioner is complete and the supplementary investigation qua M/s Raffles Group Limited is continued by some different IOs.
8. Let both parties file brief written submissions not exceeding five



pages along with the judgments they want to rely upon.

9. Let the trial Court record from the learned Judge, SFIO be also called in digital format before the next date of hearing.

10. List on 06.02.2025.

11. In the meantime, the learned Trial Court is requested to adjourn the matter beyond the date fixed by this Court.

DINESH KUMAR SHARMA, J

DECEMBER 19, 2024

Pallavi/HT