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

+ **W.P.(CRL) 2970/2022**

ASHISH MITTAL

..... Petitioner

Through: Mr. N. Hariharan, Senior Advocate
with Mr. Tanveer Ahmed Mir, Mr.
Shikhar Sharma, Mr. Saud Khan, Mr.
Kartik Venu, Mr. Amaan Shreyas,
Mr. S. Mukherji & Mr. Siddharth
Singh Yadav, Advocates.

versus

UNION OF INDIA AND ORS

..... Respondents

Through: Mr. Ajay Digpaul, CGSC *via* video-
conferencing with Mr. Harish
Vaidyanathan Shankar, CGSC with
Ms. Shivani Sharma, Mr. Vishal
Srivastava, Ms. Swati & Mr. Kamal
Digpaul, Advocates.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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19.12.2022

CRL.M.A. No. 26060/2022 (Exemption)

Exemption granted, subject to just exceptions.

Let requisite compliances be made within 01 week.

The application stands disposed of.

W.P.(CRL) 2970/2022 & CRL.M.A. No. 26059/2022

Having heard Mr. N. Hariharan, learned senior counsel
appearing for the petitioner; and also having briefly heard Mr. Harish



Vaidyanathan Shankar, learned CGSC appearing on behalf of all the respondents, the question whether order dated 17.08.2018 made by the Ministry of Corporate Affairs under section 212 (1) (c) of the Companies Act, 2013 directing investigation by the Serious Fraud Investigation Office (SFIO) is valid in law, requires consideration.

2. Issue notice.
3. Mr. Shankar accepts notice; and seeks time to file reply.
4. Let reply be filed within 01 week; rejoinder thereto, if any, be filed before the next date; with copies to the opposing counsel.
5. Re-notify on 11th January 2023 when a connected matter bearing W.P.(CRL) No. 1242/2022 is also listed before this court.
6. It is made clear that the pendency of the present petition shall not affect the petitioner's right to approach the learned Special Judge (Companies Act) for bail, if so advised, in accordance with law.

ANUP JAIRAM BHAMBHANI, J.

DECEMBER 19, 2022/uj