

Court No. - 83

Case :- APPLICATION U/S 482 No. - 20438 of 2022

Applicant :- Nikki Devi

Opposite Party :- State of U.P. and Another

Counsel for Applicant :- Shailesh Kumar

Counsel for Opposite Party :- G.A.

Hon'ble Gautam Chowdhary,J.

1. This Court passed the following order on 21.07.2022.

"Heard Sri Shailesh Kumar Mishra, learned counsel for the applicant along with Sri Vinod Shankar Tripathi, learned Advocate, learned A.G.A. for the State and Sri Bhupendra Pandey, opposite party no.2, in person.

Perused the record.

This application has been filed to decide the sessions trial no. 560 of 2021 (case crime no. 150 of 2021) under Section 376-D, 506 IPC and Section 3(2)(v) of SC/ST Act, P.S. Daraganj District Prayagraj pending before Special Court, SC/ST Act, Prayagraj, expeditiously within the time stipulated by this Court.

Sri Bhupendra Pandey states that a there is a gang of Advocates operating on in this Court, who trap people in these types of fake cases and after submission of charge-sheet, extort money from them. The members of this gang get people trapped in the SC/ST Act case and distribute the money among themselves after getting money from the Government.

Sri Shailesh Kumar Mishra, learned counsel for the applicant informed the Court that he never met with the deponent of the present case. He stated that charges have not been framed in this case, which itself shows how the applicant is hurry for early disposal of the case.

As prayed by Sri Bhupendra Pandey, two weeks time is granted to file counter affidavit. One week thereafter is granted for filing rejoinder affidavit.

List this case on 18th August, 2022 as fresh along with record of application under Section 482, Cr.P.C. No. 17706 of 2019. On that date Sri Shailesh Kumar Mishra, learned counsel for the applicant is directed to produce the applicant Nikki Devi before this Court.

It is made clear that no liberty shall be granted to withdraw this application.

Lastly Sri Bhupendra Pandey, in person, states that the applicant is being harassed, thus, he prays that some protection may be granted in his favour.

Till further orders, the further proceedings of aforesaid case shall remain stayed."

2. On 01.08.2022, correction application no.1 of 2022 was filed by the the accused-opposite party no.2 seeking for deletion of word "applicant' and in its place, the word 'accused' be substituted in the first line of penultimate paragraph of the order dated 21.07.2022, which was allowed.

3. Pursuant to the earlier order of this Court dated 21.07.2022, the applicant-informant-Nikki Devi is present.

4. When the case was taken up on 21.07.2022, it was brought to the notice of this Court that several gang are running through women at the behest of Advocates/high profile person, who used to victimise the innocent persons in fake cases and after submission of charge sheet they extract money from them. The members of the gang used to trap the innocent persons in SC/ST Act and when they received the money from the Government, they distribute the money among themselves on account of which, this Court had asked the accused-opposite party no.2 namely, Bhupendra Pandey, who was appearing in person to produce the list of cases.

5. Today when the case was taken up, Sri Bhupendra Pandey, Advocate-opposite party no.2 the accused in the instant case has drawn attention of this Court to Annexure-CA-17, which is the list of 50 cases demonstrating that the same has been registered against the innocent persons including the Advocates. The details of which are given below.

*1. Case Crime No. 181 of 2002 under Sections 323, 504
I.P.C. Police Station Mau-aima, District Allahabad.*

2. Case Crime No.406 of 2002 under Sections 323, 504, 506, 452 I.P.C. Police Station Mau-aima, District Allahabad.

3. Case Crime No. 128 of 2005 under Sections 323, 504, 506, 452, 394, 307 I.P.C. Police Station Mau-aima, District Allahabad.

4. Case Crime No. 233 of 2007 under Sections 198Ka, 323, 504, 506, 452, 307, 394, 147, 148 I.P.C. Police Station Mau-aima, District Allahabad.

5. Case Crime No. 112 of 2010 under Sections 307, 323, 504, 506, 324 I.P.C. Police Station Mau-aima, District Allahabad.

6. Case Crime No.416 of 2011 under Sections 147, 392, 452, 323, 504, 506, 427 I.P.C. Police Station Mau-aima, District Allahabad.

7. Case Crime No. 302 of 2007 under Sections 367, 504, 506 I.P.C. Police Station Mau-aima, District Allahabad.

8. Case Crime No. 87 of 2012 under Sections 323, 324, 504, 506, 308 I.P.C. Police Station Mau-aima, District Allahabad.

9. Case Crime No. 30 of 2013 under Sections 507, 115, 120-B I.P.C. Police Station Mau-aima, District Allahabad.

10. Case Crime No. 299 of 2016 under Section 174, 504, 507 I.P.C. Police Station Shiv Kuti District Allahabad.

11. Case Crime No. 154 of 2016 under Sections 147, 323, 447, 452, 504, 505, 427 I.P.C. Police Station Baharia, District Allahabad.

12. Case Crime No. 47 of 2016 under Sections 323, 504, 427 I.P.C. Police Station Kydganj, District Allahabad.

13. Case Crime No.361 of 2016 under Sections 147, 323, 504, 506, 379 I.P.C. and Section 3 (2) V SC./ST Act Police Station Shivkutij, District Allahabad.

14. Case Crime No. 38 of 2017 under Section 506 I.P.C. Police Station Colonelganj, District Allahabad.

15. Case Crime No. 277 of 2017 under Sections 323, 504, 506 I.P.C. Police Station Shivkutij, District Allahabad.

16. Case Crime No. 92 of 2017 under Sections 147, 379, 447, 323, 504, 506, 427 I.P.C. and Section 3 (2) V SC/ST Act, Police Station Baharia, District Allahabad.

17. Case Crime No. 82 of 2008 under Sections 147, 148, 149, 302/34, 120-B I.P.C. Police Station Baharia, District Allahabad.

18. Case Crime No. 557 of 2017 under Sections 147, 323, 504, 506, 427, 394 I.P.C. Police Station Cantt. District Allahabad.

19. Case Crime No. 218 of 2012 Police Station Shivkuti, District Allahabad.

20. Case Crime No. 680 of 2021 under Sections 376 (D), 452, 506, I.P.C. and Section 3/4 of POCSO Act, and Section 3 (2) (V) SC/ST Act, Police Station Mau-aima, District Allahabad.

21. Case Crime No. 370 of 2019 under Sections 147, 323, 504, 352, 506 I.P.C. Police Station Mau-aima, District Allahabad.

22. Case Crime No. 097 of 2022 under Sections 147, 323, 504, 506, 452, 427 I.P.C. Police Station Mau-aima, District Allahabad.

23. Case Crime No. 142 of 2012, S.T.No. 389 of 2014 under Sections 323, 324, 504, 506 I.P.C. Police Station Mau-aima, District Allahabad.

24. Case Crime No. 106 of 2002 under Sections 323, 504, 508, 452 I.P.C. Police Station Mau-aima, District Allahabad.

25. Case Crime No. 125 of 2005 Police Station Mau-aima, District Allahabad.

26. Case Crime No. 179 of 2016 under Sections 302, 201 I.P.C. Police Station Mau-aima, District Allahabad.

27. Case Crime No. 270 of 2019 under Sections 323, 394, 504, 506 I.P.C. Police Station Mau-aima, District Allahabad.

28. Case Crime No. 29 of 2016 under Sections 147, 506, 507 I.P.C. Police Station Shivkuti, District Allahabad.

29. Case Crime No. 381 of 2017 under Section 506 I.P.C. Police Station Colonelganj, District Allahabad.

30. Case Crime No. 391 of 2017 under Sections 147, 323, 504, 506, 379 I.P.C. and Section 3 (2) V Ka SC/ST Act, Police Station Shivkuti, District Allahabad.

31. Case Crime No. 30 of 2013 under Sections 504, 115, 120-B I.P.C. Police Station Shivkuti, District Allahabad.

32. Case Crime No. 181 of 2002 under Sections 323, 504 I.P.C. Police Station Mau-aima, District Allahabad.

33. Case Crime No. 406 of 2002 under Sections 323, 504, 506, 452 I.P.C. Police Station Mau-aima, District Allahabad.

34. Case Crime No. 233 of 2007 under Sections 198Ka, 323, 504, 506, 452, 307, 394, 147, 148 I.P.C. Police Station Mau-aima, District Allahabad.
35. Case Crime No. 112 of 2010 under Sections 307, 323, 504, 506, 324 I.P.C. Police Station Mau-aima District Allahabad.
36. Case Crime No. 416 of 2011 under Sections 147, 392, 452, 323, 504, 506, 427, I.P.C. Police Station Mau-aima, District Allahabad.
37. Case Crime No. 302 of 2007 under Sections 379, 504, 506 I.P.C. Police Station Mau-aima, District Allahabad.
38. Case Crime No. 142 of 2012 under Sections 323, 324, 504, 506, 308 I.P.C. Police Station Mau-aima, District Allahabad.
39. Case Crime No. 090 of 2021 under Sections 342, 376-D, 506 I.P.C. Police Station Mau-aima, District Allahabad.
40. Case Crime No. 317 of 2018 under Sections 392, 354Kha I.P.C. Police Station Mau-aima, District Allahabad.
41. Case Crime No. 72 of 2018 under Sections 436, 452, 147Kha, 148 I.P.C. Police Station Mau-aima, District Allahabad.
42. Case Crime No. 218 of 2018 under Sections 323, 308 I.P.C. Police Station Mau-aima, District Allahabad.
43. Case Crime No. 240 of 2017 under Sections 323, 504 I.P.C. and Section 3/2/5 SC/ST Act, Police Station Mau-aima, District Allahabad.
44. Case Crime No. 617 of 2018 under Sections 376, 313, 504, 506 I.P.C. Police Station Mau-aima, District Allahabad.
45. Case Crime No. 144 of 2022 under Sections 376D, 328, 506 I.P.C. Police Station Phaphamau, District Allahabad.
46. Case Crime No. 420 of 2021 under Sections 307, 342, 506 8I.P.C. Police Station Mau-aima, District Allahabad.
47. Complaint Case No.5970 of 2005 under Sections 323, 427, 452, 506 I.P.C. Police Station Mau-aima, District Allahabad.
48. Complaint Case No. 5875 of 2008 under Sections 506, 427 I.P.C. Police Station Mau-aima, District Allahabad.
49. Complaint Case No. 1604 of 2008 under Sections 379, 504, 506 I.P.C. Police Station Mau-aima, District Allahabad.

50. Complaint Case No. 1457 of 2012 under Sections 323, 504, 506 I.P.C. Police Station Mau-aima, District Allahabad.

6. Apart from the aforesaid 50 cases, another case is the instant case being Sessions Trial No. 560 of 2021 (State Vs. Bhupendra Pandey) arising out of Case Crime No. 150 of 2021 under Sections 376-D, 506 I.P.C. and Section 3 (2) (v) of SC/ST Act, Police Station Daraganj, District Prayagraj. Thus, overall 51 cases have been registered at District Prayagaraj out of which, 36 cases have been registered at Police Station Mau-Aima itself whereas, remaining cases have been registered at different Police Stations.

7. Heard learned counsel for the applicant-informant of the instant case, Sri V.P.Srivastava, Sri Gopal S. Chaturvedi, Sri Radha Kant Ojha and Sri Amrendra Nath Singh, learned Senior Advocates, assisted by Sri Bhupendra Kumar Pandey, the accused-opposite party no.2, Sri S.D.Singh Jadaun, learned counsel for the accused/applicant in the connected 482 petition no. 17706 of 2019, Sri Rajeshwar Singh, Shiv Kumar Maurya, Rakesh Chand Srivastava, Adarsh Pandey, learned Additional Government Advocates, Sri J.P.S.Chauhan, learned State Law Officer for the State.

8. Learned counsel for the accused persons as well as the accused-opposite party no.2-in person, argued that false and frivolous F.I.Rs. have been lodged against the village Pradhan and other innocent villagers only to extract money from the innocent persons at the stage of investigation on the pretext of dropping the proceedings against them. When the accused persons denied, they used to give threat to their counsel not to contest their cases failing which, they would be implicated under SC/ST cases, rape cases etc., and in the

said conspiracy several counsel of the District Prayagraj have been victimised of false accusation. In the connected petition, Sri Ashish Mishra, Advocate has been victimised of false accusation arising out of Case Crime No. 617 of 2018, registered as Criminal Case No. 347 of 2019 under Sections 376, 506 I.P.C. Police Station Mauaima, District Allahabad pending before learned Special Chief Judicial Magistrate, Allahabad.

9. Looking into the gravity of the case that gang is operating to lodge frivolous F.I.R. against the Advocates of Allahabad High Court as well as District Court for the reasons that they are contesting the cases on behalf of the accused persons and secondly that money was demanded to withdraw the cases. Sri Bhupendra Kumar Pandey, Advocate and Sri Ashish Mishra, Advocate, who are accused in case crime no. 150 of 2021 under Section 376-D, 506 IPC and Section 3(2)(v) of SC/ST Act, P.S. Daraganj District Pryagraj and Case Crime No. 617 of 2018, registered as Criminal Case No. 347 of 2019 under Sections 376, 506 I.P.C. Police Station Mauaima, District Allahabad respectively, thus the matter is very serious.

10. The Hon'ble Apex Court in the matter of ***State of West Bengal and others Vs. The Committee for Protection of Democratic Rights, West Bengal and others, reported in 2010 (3) SCC 571*** has observed in 12, 13, 14, 32, 33, 44, 45 as under:-

"12. It is manifest that in essence the objection of the appellant to the CBI's role in police investigation in a State without its consent, proceeds on the doctrine of distribution of legislative powers as between the Union and the State Legislatures particularly with reference to the three Lists in the Seventh Schedule of the Constitution and the

distribution of powers between the said three organs of the State.

13. In order to appreciate the controversy, a brief reference to some of the provisions in the Constitution [1965] 1 S.C.R. 413 (1980) 3 SCC 625 (1981) 1 SCC 568 (1993) 2 SCC 746 (1997) 3 SCC 261 [1965] 3 S.C.R. 536 would be necessary. The Constitution of India is divided into several parts, each part dealing in detail with different aspects of the social, economic, political and administrative set up. For the present case, we are mainly concerned with Part III of the Constitution, which enumerates the fundamental rights guaranteed by the State primarily to citizens and in some cases to every resident of India and Part XI thereof, which pertains to the relations between the Union and the States.

14. Bearing in mind the basis on which the correctness of the impugned direction is being questioned by the State of West Bengal, we shall first notice the scope and purport of Part XI of the Constitution. According to Article 1 of the Constitution, India is a 'Union' of States, which means a Federation of States. Every federal system requires division of powers between the Union and State Governments, which in our Constitution is effected by Part XI thereof. While Articles 245 to 255 deal with distribution of legislative powers, the distribution of administrative powers is dealt with in Articles 256 to 261. Under the Constitution, there is a three-fold distribution of legislative powers between the Union and the States, made by the three Lists in the Seventh Schedule of the Constitution. While Article 245 confers the legislative powers upon the Union and the States, Article 246 provides for distribution of legislative powers between the Union and the States. Article 246, relevant for our purpose, reads as follows:

"246. Subject-matter of laws made by Parliament and by the Legislatures of States -- (1) Notwithstanding anything in clauses (2) and (3), Parliament has exclusive power to make laws with respect to any of the matters enumerated in List I in the Seventh Schedule (in this Constitution referred to as the "Union List").

(2) Notwithstanding anything in clause (3), Parliament and, subject to clause (1), the Legislature of any State also, have power to make laws with respect to any of the matters enumerated in List III in the Seventh Schedule (in this Constitution referred to as the "Concurrent List").

(3) Subject to clauses (1) and (2), the Legislature of any State has exclusive power to make laws for such State or any part thereof with respect to any of the matters enumerated in List II in the Seventh Schedule (in this Constitution referred to as the 'State List').

(4) Parliament has power to make laws with respect to any matter for any part of the territory of India not included in a State notwithstanding that such matter is a matter enumerated in the State List."

32. The Constitution of India expressly confers the power of judicial review on this Court and the High Courts under Article 32 and 226 respectively. Dr. B.R. Ambedkar described Article 32 as the very soul of the Constitution the very heart of it the most important Article. By now, it is well settled that the power of judicial review, vested in the Supreme Court and the High Courts under the said Articles of the Constitution, is an integral part and essential feature of the Constitution, constituting part of its basic structure. Therefore, ordinarily, the power of the High Court and this Court to test the Constitutional validity of legislations can never be ousted or even abridged. Moreover, Article 13 of the Constitution not only declares the pre- constitution laws as void to the extent to which they are inconsistent with the fundamental rights, it also prohibits the State from making a law which either takes away totally or abrogates in part a fundamental right. Therefore, judicial review of laws is embedded in the Constitution by virtue of Article 13 read with Articles 32 and 226 of our Constitution. It is manifest from the language of Article 245 of the Constitution that all legislative powers of the Parliament or the State Legislatures are expressly made subject to other provisions of the Constitution, which obviously would include the rights conferred in Part III of the Constitution. Whether there is a contravention of any of the rights so conferred, is to be decided only by the Constitutional Courts, which are empowered not only to declare a law as unconstitutional but also to enforce fundamental rights by issuing directions or orders or writs of or "in the nature of" mandamus, certiorari, habeas corpus, prohibition and quo warranto for this purpose. It is pertinent to note that Article 32 of the Constitution is also contained in Part III of the Constitution, which enumerates the fundamental rights and not alongside other Articles of the Constitution which define the general jurisdiction of the Supreme Court. Thus, being a fundamental right itself, it is the duty of this Court to ensure that no fundamental right is contravened or abridged by any statutory or constitutional provision. Moreover, it is also plain from the expression "in the nature of" employed in clause (2) of Article 32 that the power conferred by the said clause is in the widest terms and is not confined to issuing the high prerogative writs specified in the said clause but includes within its ambit the power to issue any directions or orders or writs which may be appropriate for enforcement of the fundamental rights. Therefore, even when the conditions for issue of any of these writs are not fulfilled, this Court would not be constrained to fold its hands in despair and plead its inability to help the citizen who has come before it for judicial redress. (per P.N. Bhagwati, J. in *Bandhua Mukti Morcha Vs. Union of India & Ors.*23).

33. In this context, it would be profitable to make a reference to the decision of this Court in *Nilabati Behera* (supra). The Court concurred with the view expressed by

this Court in *Khatri & Ors. (II) Vs. State of Bihar & Ors.*²⁴ and *Khatri & Ors. (IV) Vs. State of Bihar & Ors.*²⁵, wherein it was said that the Court is not helpless to grant relief in a case of violation of the right to life and personal liberty, and it should be prepared "to forge new tools and devise new remedies" for the purpose of vindicating these precious fundamental rights. It was also indicated that the procedure suitable in the facts of the case must be adopted for conducting the enquiry, needed to ascertain the necessary facts, for granting the relief, as may be available mode of redress, for enforcement of the guaranteed fundamental rights. In his concurring judgment, Dr. A.S. Anand, J. (as His Lordship then was), observed as under:

"35. This Court and the High Courts, being the protectors of the civil liberties of the citizen, have not only the power and jurisdiction but also an obligation to grant relief in exercise of its jurisdiction under Articles 32 and 226 of the Constitution to the victim or the heir of the victim whose fundamental rights under Article 21 of the (1984) 3 SCC 161 (1981) 1 SCC 627 (1981) 2 SCC 493 Constitution of India are established to have been flagrantly infringed by calling upon the State to repair the damage done by its officers to the fundamental rights of the citizen, notwithstanding the right of the citizen to the remedy by way of a civil suit or criminal proceedings. The State, of course has the right to be indemnified by and take such action as may be available to it against the wrongdoer in accordance with law - through appropriate proceedings."

44. Thus, having examined the rival contentions in the context of the Constitutional Scheme, we conclude as follows:

(i) The fundamental rights, enshrined in Part III of the Constitution, are inherent and cannot be extinguished by any Constitutional or Statutory provision. Any law that abrogates or abridges such rights would be violative of the basic structure doctrine. The actual effect and impact of the law on the rights guaranteed under Part III has to be taken into account in determining whether or not it destroys the basic structure.

(ii) Article 21 of the Constitution in its broad perspective seeks to protect the persons of their lives and personal liberties except according to the procedure established by law. The said Article in its broad application not only takes within its fold enforcement of the rights of an accused but also the rights of the victim. The State has a duty to enforce the human rights of a citizen providing for fair and impartial investigation against any person accused of commission of a cognizable offence, which may include its own officers. In certain situations even a witness to the crime may seek for and shall be granted protection by the State.

(iii) In view of the constitutional scheme and the jurisdiction conferred on this Court under Article 32 and on the High Courts under Article 226 of the Constitution the power of judicial review being an integral part of the basic structure of the Constitution, no Act of Parliament can exclude or curtail the powers of the Constitutional Courts with regard to the enforcement of fundamental

rights. As a matter of fact, such a power is essential to give practicable content to the objectives of the Constitution embodied in Part III and other parts of the Constitution. Moreover, in a federal constitution, the distribution of legislative powers between the Parliament and the State Legislature involves limitation on legislative powers and, therefore, this requires an authority other than the Parliament to ascertain whether such limitations are transgressed. Judicial review acts as the final arbiter not only to give effect to the distribution of legislative powers between the Parliament and the State Legislatures, it is also necessary to show any transgression by each entity.

Therefore, to borrow the words of Lord Steyn, judicial review is justified by combination of "the principles of separation of powers, rule of law, the principle of constitutionality and the reach of judicial review".

(iv) If the federal structure is violated by any legislative action, the Constitution takes care to protect the federal structure by ensuring that Courts act as guardians and interpreters of the Constitution and provide remedy under Articles 32 and 226, whenever there is an attempted violation. In the circumstances, any direction by the Supreme Court or the High Court in exercise of power under Article 32 or 226 to uphold the Constitution and maintain the rule of law cannot be termed as violating the federal structure.

(v) Restriction on the Parliament by the Constitution and restriction on the Executive by the Parliament under an enactment, do not amount to restriction on the power of the Judiciary under Article 32 and 226 of the Constitution.

(vi) If in terms of Entry 2 of the List II of the Seventh Schedule on the one hand and Entry 2 A and Entry 80 of the List I on the other investigation by another agency is permissible subject to grant of consent by the State concerned, there is no reason as to why, in an exceptional situation, court would be precluded from exercising the same power which the Union could exercise in terms of the provisions of the Statute. In our opinion, exercise of such power by the constitutional courts would not violate the doctrine of separation of powers. In fact, if in such a situation the court fails to grant relief, it would be failing in its constitutional duty.

(vii) When the Special Police Act itself provides that subject to the consent by the State, the CBI can take up investigation in relation to the crime which was otherwise within the jurisdiction of the State Police, the court can also exercise its constitutional power of judicial review and direct the CBI to take up the investigation within the jurisdiction of the State. The power of the High Court under Article 226 of the Constitution cannot be taken away, curtailed or diluted by Section 6 of the Special Police Act. Irrespective of there being any statutory provision acting as a restriction on the powers of the Courts, the restriction imposed by Section 6 of the Special Police Act on the powers of the Union, cannot be read as restriction on the powers of the Constitutional Courts. Therefore, exercise of power of judicial review by the High Court, in our opinion, would not amount to infringement of either the doctrine of separation of power or the federal structure.

45. In the final analysis, our answer to the question referred is that a direction by the High Court, in exercise of its jurisdiction under Article 226 of the Constitution, to the CBI to investigate a cognizable offence alleged to have been committed within the territory of a State without the consent of that State will neither impinge upon the federal structure of the Constitution nor violate the doctrine of separation of power and shall be valid in law. Being the protectors of civil liberties of the citizens, this Court and the High Courts have not only the power and jurisdiction but also an obligation to protect the fundamental rights, guaranteed by Part III in general and under Article 21 of the Constitution in particular, zealously and vigilantly.

11. It is well settled that inherent powers under Section 482 Cr.P.C. have to be exercised to secure the ends of justice, to prevent abuse of process of any Court and to make such orders as may be necessary to give effect to any order under the Cr.P.C. depending upon the facts of given case. In the instant case, it appears that there is miscarriage of justice, thus relying upon the Judgement of Hon'ble Apex Court in the matter of *State of West Bengal and others* (supra) as well as in the interest of justice and to protect the interest of Advocates, who are victimised of false accusations merely on the ground that they are contesting the case on behalf of accused persons. It is necessary that the matter be investigated by the C.B.I.

12. Let preliminary enquiry be conducted by C.B.I. with regard to the cases mentioned at serial no.1 to 46 in paragraph no.5 as well as Sessions Trial no. 560 of 2021 arising out of case crime no. 150 of 2021 under Section 376-D, 506 IPC and Section 3(2)(v) of SC/ST Act, P.S. Daraganj District Prayagraj, within a period of two months from today.

13. Sri Gyan Prakash, learned Senior Counsel for the C.B.I. assisted by Sri Sanjay Kumar Yadav, Advocate, is directed to produce the preliminary report in a sealed cover before this Court on the next date fixed.

13. It is made clear that till submission of preliminary enquiry report by the C.B.I. there shall be no arrest either of the accused persons or any other aggrieved persons.

15. List on 20.10.2022.

16. Let a copy of this order be provided through Registrar (Compliance) of this Court to Sri Gopal S. Chaturvedi, Sri Radha Kant Ojha, Sri Amrendra Nath Singh, Sri Gyan Prakash, learned Senior Advocates of this Court to assist the Court on the next date fixed.

17. The personal appearance of the informant-Nikki Devi is exempted unless otherwise directed by this Court in future.

Order Date :- 18.8.2022

S.Ali