



2026:DHC:8133



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

Reserved on: 31.08.2026
Pronounced on: 22.09.2026
Uploaded on: 22.09.2026

CNR No. DLHC010396292023

+ **W.P.(CRL) 2903/2023 & CRL.M.A. 21681/2026**

JITENDRA PRATAP SINGH

.....Petitioner

Through: Petitioner (in-person)

Versus

UNION OF INDIA & ORS.

.....Respondents

Through: Mr.____, Proxy Counsel. (appearance
not given)

CORAM:

HON'BLE MS. JUSTICE MADHU JAIN

JUDGMENT

MADHU JAIN, J.

1. The present writ petition under Articles 226 and 227 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 (hereinafter referred to as the 'CrPC'), has been filed by the petitioner, Jitendra Pratap Singh, seeking, *inter alia*, a direction to the Central Bureau of Investigation ("CBI") to register a cross-FIR in relation to RC No.03(A)/2015/CBI/AC-III, New Delhi, dated 22.09.2015, in which the petitioner is an accused, or, in the alternative, to register a fresh case on the basis of complaints submitted by him before the Central Vigilance Commission ("CVC"). The petitioner also seeks investigation into the allegations made in the said complaints,



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which concern the circumstances surrounding the investigation being undertaken by him while posted with the Directorate of Enforcement (“ED”) at Ahmedabad and the subsequent registration of the aforesaid CBI case against him.

BRIEF FACTS

2. The petitioner is an officer of the Indian Revenue Service and was, at the relevant time, posted with the ED at Ahmedabad. During 2015, he was associated with an investigation relating to cricket betting and allied financial transactions. On 22.09.2015, the CBI registered RC No.03(A)/2015/CBI/AC-III, New Delhi against the petitioner and other persons in relation to allegations concerning the manner in which such investigation had been conducted. A chargesheet was subsequently filed before the competent court at Ahmedabad for offences under Section 120B of the Indian Penal Code, 1860 (hereinafter referred to as the ‘IPC’) and Sections 7, 8, 9 and 13(2) read with Section 13(1)(d) of the Prevention of Corruption Act, 1988 (hereinafter referred to as the ‘PMLA’). The said proceedings are stated to be pending.

3. The petitioner thereafter submitted complaints dated 31.10.2018, 22.11.2018 and 06.12.2018 before the CVC against, *inter alia*, Shri Karnal Singh, then Director, ED, and Shri M.C.R. Mukund, then Deputy Superintendent of Police, CBI. The complaints related to the circumstances in which the investigation being conducted by the petitioner was allegedly interfered with and the subsequent action taken against him. The petitioner also submitted documentary and other material before the CVC in support of his complaints.

4. The CVC, *vide* Office Memorandum dated 11.04.2019, directed



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the CBI to investigate the allegations contained in the aforesaid complaints and submit a report. The petitioner thereafter approached this Court in ***W.P.(Crl.) No.2440/2021*** complaining of non-compliance with the aforesaid direction. *Vide* order dated 10.01.2022, this Court directed the CBI to expedite the enquiry.

5. Pursuant thereto, the CBI undertook verification of the allegations and examined the material placed before it. The CBI states that Shri Karnal Singh was examined during the course of such verification and that records relating to certain companies, financial transactions and the allegations concerning Shri M.C.R. Mukund were also examined.

6. The CBI subsequently submitted its report dated 28.06.2023 to the CVC, recording that the verification in totality had not revealed actionable material against Shri Karnal Singh and Shri M.C.R. Mukund. The CVC thereafter closed the complaints and, *vide* communication dated 17.11.2023, informed the CBI that it would allow the matter to rest.

7. The petitioner disputes the manner and scope of the aforesaid verification and contends that the allegations made by him disclose a separate version arising out of the same transaction which is the subject matter of RC No.03(A)/2015/CBI/AC-III, New Delhi. He therefore seeks registration of a cross-FIR, or, in the alternative, a fresh case, followed by an investigation into the allegations made by him.

8. The principal issue arising for consideration in the present petition is whether, in the facts and circumstances of the case, a direction ought to be issued to the CBI for registration of a cross-FIR or a fresh case on the basis of the petitioner's complaints and for investigation thereof.



SUBMISSIONS MADE ON BEHALF OF THE PETITIONERS:

9. The petitioner, appearing in person, submits that the present petition has been filed seeking a direction to the Central Bureau of Investigation (“CBI”) to register and investigate a cross-version arising out of the same transaction which forms the subject matter of RC No.03(A)/2015/CBI/AC-III, New Delhi dated 22.09.2015. It is submitted that while the aforesaid case was registered against the petitioner, the allegations made by him against Shri Karnal Singh and others have not been subjected to a corresponding criminal investigation.

10. The petitioner submits that the complaints made by him disclose cognizable offences and set out a specific counter-version concerning the circumstances in which the aforesaid CBI case came to be registered. Relying upon *T.T. Antony v. State of Kerala, (2001) 6 SCC 181*, *Kari Choudhary v. Sita Devi, (2002) 1 SCC 714* and *Upkar Singh v. Ved Prakash, (2004) 13 SCC 292*, the petitioner submits that where a counter-version arising out of the same occurrence discloses cognizable offences, the same requires investigation.

11. The petitioner further submits that the Central Vigilance Commission (“CVC”), after considering his complaints dated 31.10.2018, 22.11.2018 and 06.12.2018 and the material placed before it, recorded that the allegations were serious, specific and verifiable and, *vide* Office Memorandum dated 11.04.2019, directed the CBI to investigate the same. Reliance is placed upon *Lalita Kumari v. Government of Uttar Pradesh, (2014) 2 SCC 114*, in support of the submission that information disclosing cognizable offences requires



appropriate action in accordance with law.

12. The petitioner submits that the material placed before the CVC discloses a sequence of events concerning the investigation being conducted by him while posted with the Enforcement Directorate at Ahmedabad and the subsequent proceedings initiated against him. It is submitted that the investigation in the cricket-betting matter had, during his tenure, resulted in arrests, attachment proceedings and prosecution complaints, and that the subsequent cessation of such activities constitutes a circumstance requiring investigation.

13. The petitioner further submits that his complaints contain specific allegations concerning communications received by him, meetings involving persons allegedly connected with the cricket-betting matter and the subsequent sequence of events culminating in registration of the CBI case against him. It is submitted that he had placed documentary and electronic material before the authorities which required verification through examination of the relevant official records and other material.

14. The petitioner submits that the nature of the exercise undertaken by the CBI pursuant to the CVC's direction was insufficient to examine the allegations raised by him. It is contended that neither an FIR nor a Preliminary Enquiry was registered and that the CBI proceeded by way of what was described as "verification". According to the petitioner, such an exercise, substantially based upon publicly available corporate and other records, could not effectively examine allegations concerning off-record financial transactions, beneficial ownership, electronic evidence and the alleged interference with the cricket-betting investigation.



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15. The petitioner further submits that the manner in which his complaints were dealt with was materially different from the manner in which the complaint against him was acted upon. According to him, the case against him was registered on 22.09.2015 without a preliminary enquiry, whereas his complaints remained subject to a prolonged verification exercise, during which the person against whom the allegations were made was examined. It is submitted that such verification could not substitute a criminal investigation into the counter-version.

16. The petitioner submits that the pendency of the criminal proceedings arising from RC No.03(A)/2015 cannot obviate the necessity of investigating the allegations raised by him. It is contended that the material and evidence relating to the alleged role of Shri Karnal Singh and the other persons named in his complaints do not form part of the chargesheet in the pending case and, therefore, cannot be left to be considered in those proceedings.

17. The petitioner accordingly submits that the CBI's verification cannot be treated as a substitute for registration and investigation of his counter-version, particularly when the CVC had directed an investigation *vide* Office Memorandum dated 11.04.2019 and this Court had subsequently directed the CBI to expedite the enquiry. He accordingly prays that the CBI be directed to register a cross-FIR or, in the alternative, a fresh case on the basis of his complaints and conduct a fair investigation in accordance with law.

SUBMISSION MADE ON BEHALF OF THE RESPONDENTS:



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18. None appeared on behalf of the respondents on the date of hearing. The submissions on behalf of respondent No.3/CBI and respondent No.2/CVC, therefore, have been considered on the basis of their respective written submissions placed on record.

19. In its written submissions, respondent No.3/CBI states that the present petition seeks a direction for registration of a cross-FIR in relation to RC No.03(A)/2015/CBI/AC-III, New Delhi dated 22.09.2015 and, in the alternative, registration of a fresh case against Shri Karnail Singh, IPS (Retd.) and Shri M.C.R. Mukund, then Dy. SP, CBI. The CBI submits that the petitioner himself is an accused in the aforesaid case and that the case was registered on the basis of a complaint concerning his conduct while he was posted with the Enforcement Directorate. It is stated that the CBI has since filed a chargesheet before the competent court at Ahmedabad and the proceedings are pending.

20. The CBI further submits that the complaints dated 31.10.2018, 22.11.2018 and 06.12.2018 made by the petitioner before the Central Vigilance Commission ("CVC") were forwarded to the CBI *vide* Office Memorandum dated 11.04.2019. Pursuant thereto, the CBI registered the matter as Complaint CO-26/2019 on 21.05.2019 and undertook verification of the allegations. It is stated that the petitioner had also furnished material before the CVC, which formed part of the material considered during such verification.

21. It is further stated that, during the course of verification, Shri Karnail Singh was examined on 26.02.2020 and 09.03.2020. The CBI also states that records relating to companies allegedly connected with him were obtained and examined and that verification was undertaken in



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respect of the allegations concerning disproportionate assets, benami properties and shell companies. The allegations concerning Shri M.C.R. Mukund were also examined and the relevant records were scrutinised.

22. According to the CBI, the verification did not reveal any actionable material or wrongful conduct on the part of Shri Karnail Singh or Shri M.C.R. Mukund. The CBI submitted its report dated 28.06.2023 to the CVC recording the aforesaid conclusion. It is stated that the CVC thereafter closed the complaints and was informed accordingly.

23. The CBI further submits that the petitioner had earlier approached this Court in ***W.P.(Crl.) No.2440/2021*** alleging that no action had been taken upon his complaints. According to the CBI, a status report was filed in those proceedings informing the Court that an enquiry pursuant to the CVC's directions had already been initiated and was in progress. The said proceedings were thereafter disposed of by this Court *vide* order dated 10.01.2022.

24. The CBI submits that a further complaint dated 21.05.2022 addressed to the Director, CBI was also considered as part of the verification exercise. Upon an overall consideration of the material, the CBI states that no wrongful act or conduct was found on the part of the persons complained against and the result of the verification was communicated to the CVC *vide* letter dated 27.06.2023.

25. It is further submitted that merely describing a complaint as a “cross-FIR” does not confer a right to registration of a second FIR. According to the CBI, the allegations made by the petitioner had already been examined by the investigating agency and no actionable material



was found. The petitioner, therefore, cannot seek a fresh investigation into the same allegations merely because he is dissatisfied with the conclusion reached during verification.

26. The CBI further submits that the petitioner is already facing proceedings arising out of RC No.03(A)/2015 and that allegations concerning the manner in which the said case was investigated and the role attributed to the persons named by him have already been raised by him before the competent trial court. It is, therefore, contended that no separate investigation is warranted on the basis of the same allegations.

27. In its written submissions, respondent No.2/CVC submits that the petitioner had submitted complaints dated 31.10.2018, 22.11.2018 and 06.12.2018 before the Commission and that, pursuant to its Office Memorandum dated 11.04.2019, the CBI undertook verification and submitted its report dated 28.06.2023. The report recorded that the verification in totality had not revealed actionable material against Shri Karnail Singh and Shri M.C.R. Mukund.

28. The CVC further submits that, upon receipt of the aforesaid report, the complaints were closed with the approval of the competent authority. It is stated that the CVC subsequently informed the CBI, *vide* Office Memorandum dated 17.11.2023, that it would allow the matter to rest.

FINDINGS AND ANALYSIS:

29. This Court has considered the submissions advanced by parties and have perused the material on record.

30. The relief sought in the present petition is for issuance of a direction to the CBI to register a cross-FIR in relation to RC



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No.03(A)/2015/CBI/AC-III, New Delhi or, in the alternative, to register a fresh case on the basis of the complaints made by the petitioner. The prayer is, therefore, required to be examined in the context of the limited and extraordinary jurisdiction exercised by this Court under Articles 226 and 227 of the Constitution of India read with Section 482 of the CrPC.

31. The record shows that the petitioner had submitted complaints dated 31.10.2018, 22.11.2018 and 06.12.2018 before the CVC. Pursuant to the Office Memorandum dated 11.04.2019 issued by the CVC, the CBI undertook verification of the allegations. During the course of such verification, the CBI examined Shri Karnail Singh, scrutinised material relating to the allegations concerning his assets and associated entities, and also examined the allegations concerning Shri M.C.R. Mukund. The petitioner thereafter submitted a further complaint dated 21.05.2022, which was also taken into consideration.

32. Upon completion of the aforesaid exercise, the CBI submitted its report dated 28.06.2023 to the CVC, recording that the verification had not disclosed actionable material against the persons complained against. The CVC thereafter closed the complaints with the approval of the competent authority and informed the CBI *vide* Office Memorandum dated 17.11.2023 that the matter would rest there.

33. The petitioner disputes the adequacy of the aforesaid verification and submits that the allegations contained in his complaints disclose a counter-version of the same occurrence and, therefore, ought to have resulted in registration of a separate FIR and a full-fledged investigation. However, the mere assertion that a complaint constitutes a counter-version does not, by itself, entitle the complainant to a direction from



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this Court for registration of a second FIR. The decisions relied upon by the petitioner concerning counter-cases have to be applied in the factual context of each case.

34. In the present case, the petitioner's complaints were not rejected at the threshold. They were forwarded by the CVC to the CBI for consideration pursuant to the Office Memorandum dated 11.04.2019. The CBI thereafter undertook the verification and furnished its report to the CVC. The grievance of the petitioner is essentially with the manner in which the material was examined and the conclusion reached by the investigating agency. Such a grievance, without more, cannot result in a direction to register a fresh FIR in exercise of the extraordinary criminal jurisdiction of this Court.

35. The earlier proceedings in ***W.P.(Crl.) No.2440/2021*** are also relevant. The petitioner had approached this Court alleging non-compliance with the CVC's directions. The CBI had placed on record that an enquiry had already been initiated, and this Court, *vide* order dated 10.01.2022, disposed of the petition after taking note of the said position. Thus, the present petition cannot be considered without taking into account the subsequent action admittedly undertaken pursuant to the very directions which formed the subject matter of the earlier proceedings.

36. The petitioner is also admittedly facing criminal proceedings arising out of RC No.03(A)/2015/CBI/AC-III, New Delhi. The CBI states that chargesheet has been filed and the proceedings are pending before the competent court at Ahmedabad. The petitioner has contended that his allegations against the persons named in the present petition



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cannot be adjudicated in those proceedings. Be that as it may, the petitioner would be entitled to raise all grounds and defences available to him before the competent court in accordance with law. The existence of such pending proceedings is a relevant circumstance while considering a prayer for initiation of another criminal investigation arising from the same factual background.

37. The contention that the verification undertaken by the CBI was inadequate, that relevant material was not collected or that the allegations were not properly examined essentially involves an assessment of the investigative exercise and the material considered by the agency. This Court, while exercising jurisdiction under Section 482 CrPC, would not ordinarily undertake such an exercise or substitute its own assessment for that of the investigating agency unless the record discloses a clear illegality, arbitrariness or failure to exercise jurisdiction warranting interference.

38. No such circumstance has been demonstrated in the present case. The material on record shows that the petitioner's complaints were considered pursuant to the CVC's direction, the CBI undertook the verification, its report was submitted to the CVC and the complaints were thereafter closed. Whether the conclusions arrived at by the CBI are correct on facts is not a matter which this Court is required to determine in the present proceedings.

39. The petitioner has other remedies available in law in respect of any grievance concerning the manner in which his complaints were dealt with or the conclusions reached thereon. The extraordinary jurisdiction of this Court cannot be invoked merely to secure a particular



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investigative outcome when the competent agency has already undertaken an exercise pursuant to the competent authority's directions and has taken a decision on the material before it.

40. This Court, therefore, finds no ground to issue a direction to the CBI for registration of a cross-FIR or a fresh case on the basis of the petitioner's complaints. No case is made out for exercise of the extraordinary criminal jurisdiction of this Court under Articles 226 and 227 of the Constitution of India read with Section 482 CrPC.

CONCLUSION:

41. Accordingly, the present petition is disposed of. Pending application, if any, also stands disposed of.

42. The petitioner shall, however, be at liberty to avail of such remedies as may be available to him in accordance with law before the competent forum.

43. Nothing contained in the present judgment shall be construed as an expression of opinion on the merits of the allegations made by the petitioner, the pending criminal proceedings, or the material collected therein.

**MADHU JAIN
(JUDGE)**

SEPTEMBER 22, 2026/ys/P