

October 28, 2020

MR. RAHUL MEHRA,  
HON'BLE AG/STANDING COUNSEL (CRL)  
422, LAWYERS' CHAMBERS,  
DELHI HIGH COURT,  
NEW DELHI

ALSO AT

52-A, UDAY PARK, NEW DELHI-110049

**SUBJECT:-** FOR SEEKING CONSENT UNDER SECTION 15  
OF THE CONTEMPTS OF COURTS ACT, 1971  
TO INITIATE PROCEEDINGS FOR CRIMINAL  
CONTEMPT OF COURT AGAINST MR.  
RAGHAVENDRA VATS, IPS, PRESENTLY  
POSTED AS DY. INSPECTOR GENERAL (DIG)  
CBI HEADQUARTERS, NEW DELHI

MOST RESPECTED SIR,

- 1) That the Applicant is practicing Advocate and has raised various issues in public interest by way of filing Public Interest Litigation (PIL) before the Hon'ble High Court of Delhi and the Hon'ble Supreme Court.
- 2) That the Applicant wish to beseech the kind intervention of your good-self for seeking consent under section 15 of the Contempt of Courts Act, 1971 (70 of 1971) to initiate the proceedings of the Criminal Contempt of Court against Mr. Raghavendra Vats, IPS, presently posted as DIG, CBI Headquarters, Lodhi Road, New Delhi.

- 3) That the facts of the case invite intervention of the High Court for punishing contemnor for Criminal Contempt of the Court as the contemnor has caused deliberate obstruction in administration of justice and therefore the applicant has been constrained to make the present request.
- 4) That the brief facts of the matter are that various news reports mentioned that a CBI prosecutor has told a Delhi court he was “punched and strangled” by a DIG-rank officer of the investigative agency inside the CBI headquarters, allegedly over a delay in framing of charges against Rajendra Kumar, former Principal Secretary to Chief Minister Arvind Kejriwal. The said Rajendra Kumar is facing trial in a corruption case pending before Special Judge, CBI, Rouse Avenue Court, New Delhi.
- 5) That the Applicant also wishes to take note that in May 2013, a bench of the Supreme Court came down heavily on the CBI while hearing a case, saying that the probe agency had become a “caged parrot” speaking in the voice of its political masters. Further the Hon’ble Supreme Court had observed “It’s a sordid saga that there are many masters and one parrot,” calling for the government to make the CBI impartial and allow it to function without external pressures and influences.
- 6) Sir, I may remind you that when the CBI had raided premises of the aforesaid Rajendra Kumar, 1989 batch IAS Officer, the CBI had

exceeded its jurisdiction and had also conducted raids in the office of Hon'ble Chief Minister of Delhi and the matter was brought to the notice of the Hon'ble High Court.

7) Respected Sir, it goes without saying that the political compulsions cannot license any CBI Officer to abuse its power in such a manner to the extent of cause beatings/strangulating an Advocate/Public Prosecutor of the premier agency for not accelerating the framing of charges pending before the Special Court, CBI, New Delhi.

8) The Victim/Public Prosecutor had also made a police complaint and the contents of the same, as per media reports, are as follows:

“On October 9, following orders of my seniors, I reached the CBI headquarters around 10.30 am. I met DLA there, and following his instruction, went to meet the branch head Raghavendra Vats in his room. As soon as I reached, he punched me on the face after enquiring who I was. Then he asked me to sit down and have a chat. I didn't, and walked straight out of his room. I started shouting that I have been assaulted and I came straight to you (police). I want you to take appropriate action,”

9) Sir, almost every newspaper reported that the CBI prosecutor, Sunil Kumar Verma, accused DIG Raghavendra Vats of assaulting him on October 9 when he visited CBI Headquarters at 10.30 am. The condemner DIG asked him why charges have not been framed in that case so far and sought to initiate departmental

enquiry against him/PP if charges are not framed on the next date of hearing.

10) That the aforesaid series of events require initiation of Criminal Contempt of Court for causing deliberate hindrance in the administration of justice in a matter pending before Special Judge Rakesh Kumar Sharma, Rouse Avenue Courts, New Delhi.

11) To cause beatings/strangulating a Government Pleader (Officer of the Court), handling a Court matter pending before the aforesaid Court with a sole motive to expedite framing of Charges in a particular proceedings speaks volumes and therefore, the same requires intervention of the Court. The present matter is a crystal-clear case, whereby the aforesaid accused has caused obstruction in the administration of justice, therefore the aforesaid contemnor i.e. Mr. Raghavendra Vats (DIG, CBD) is guilty of criminal contempt of the court.

12) That the Constitutional Bench of the Hon'ble Supreme Court in **C. K. Daphtary & Ors vs O. P. Gupta & Ors on 19 March, 1971 1971 AIR 1132, 1971 SCR 76** while deciding the question of locus standi in a Criminal Contempt case, had observed as under:-

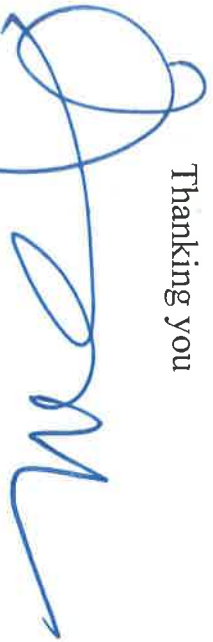
*“Be that as it may, there is nothing in law which prevents this Court from entertaining a petition at the instance of the President of the Supreme Court Bar Association and three other advocates of the Court. The Bar is vitally concerned in*

*the maintenance of the dignity of Courts and the proper  
administration of justice. ”*

- 13) That Applicant, being a responsible member of Delhi High Court Bar Association (DHCBBA) and the Supreme Court Bar Association (SCBA) wish to initiate the criminal contempt proceeding against the aforesaid contemnor.

In the light of aforementioned facts and circumstances, I request you to please grant consent under section 15 of the Contempt of Courts Act, 1971 (70 of 1971) to initiate the proceedings of the Criminal Contempt of Court against Mr. Raghavendra Vats, IPS, presently posted as DIG, CBI Headquarters, Lodhi Road, New Delhi.

Thanking you



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Enclosed:- Copy of News Reports published in various Newspapers/News web-portals.

# CBI prosecutor accuses top official of assault, court issues summons

**Tells court: Punched, strangled by DIG-rank officer at CBI headquarters, allegedly over delay in framing of charges against ex-principal secy to CM**

**ANAND MOHAN J &  
SOURAV ROY BARMAN**  
NEW DELHI, OCTOBER 12

A CBI prosecutor has told a Delhi court he was "punched and strangled" by a DIG-rank officer of the investigative agency inside the CBI headquarters, allegedly over a delay in framing of charges against Rajendra Kumar, former Principal Secretary to Chief Minister Arvind Kejriwal. Kumar is facing trial in a corruption case.

The CBI prosecutor, Sunil Kumar Verma, accused DIG Raghavendra Vats of assaulting him inside his office on October 9 when he visited at 10.30 am.

Verma filed a police complaint at Lodhi Road police station. The court has issued summons to Vats, observing that it

was a serious matter, and asked the DIG to explain his alleged conduct.

"On October 9, following orders of my seniors, I reached the CBI headquarters around 10.30 am. I met DLA... there, and following his instruction, went to meet the branch head Raghavendra Vats in his room. As soon as I reached, he punched me on the face after enquiring who I was. Then he asked me to sit down and have a chat. I didn't, and walked straight out of his room. I started shouting that I have been assaulted and I came straight to you (police). I want you to take appropriate action," Verma's complaint reads.

A senior police officer said, "We have received a complaint and are conducting an enquiry before taking legal action."

On Monday, Verma ap-

peared before Special Judge Rakesh Kumar Sharma through video conferencing and made the allegations.

Advocate Rahul Tyagi, counsel for Rajendra Kumar, told the court, "Let the DIG be called on the next date of hearing... how can he beat the PP? I have never heard this in my entire career. What is happening in this place we don't know."

Special Judge Sharma ordered, "It is submitted by the learned PP that he was called by DIG for discussing the present matter... where he was beaten up by Vats, who also tried to strangle him. It is submitted by him that the DIG asked him why charges have not been framed in the present matter so far and also sought to initiate departmental enquiry against him if charges are not framed on the

next date of hearing. This is a very serious matter. The DIG shall appear on the next date of hearing and explain his conduct." The next date of hearing is on October 19.

Rajendra Kumar, a 1989-batch IAS officer has been booked by the CBI for alleged criminal conspiracy under Indian Penal Code besides provisions of Prevention of Corruption Act along with eight others and Endeavour Systems Private Limited. It has been alleged by CBI in the FIR that the accused persons entered into a criminal conspiracy and caused a loss of Rs 12 crore to the Delhi government in award of contracts between 2007 and 2015.

The CBI spokesperson, when asked about the allegations against Vats, said, "A fact-finding enquiry has been ordered by the CBI."

# Delhi court summons CBI DIG Raghavendra Vatsa for 'assault' on prosecutor, inquiry ordered

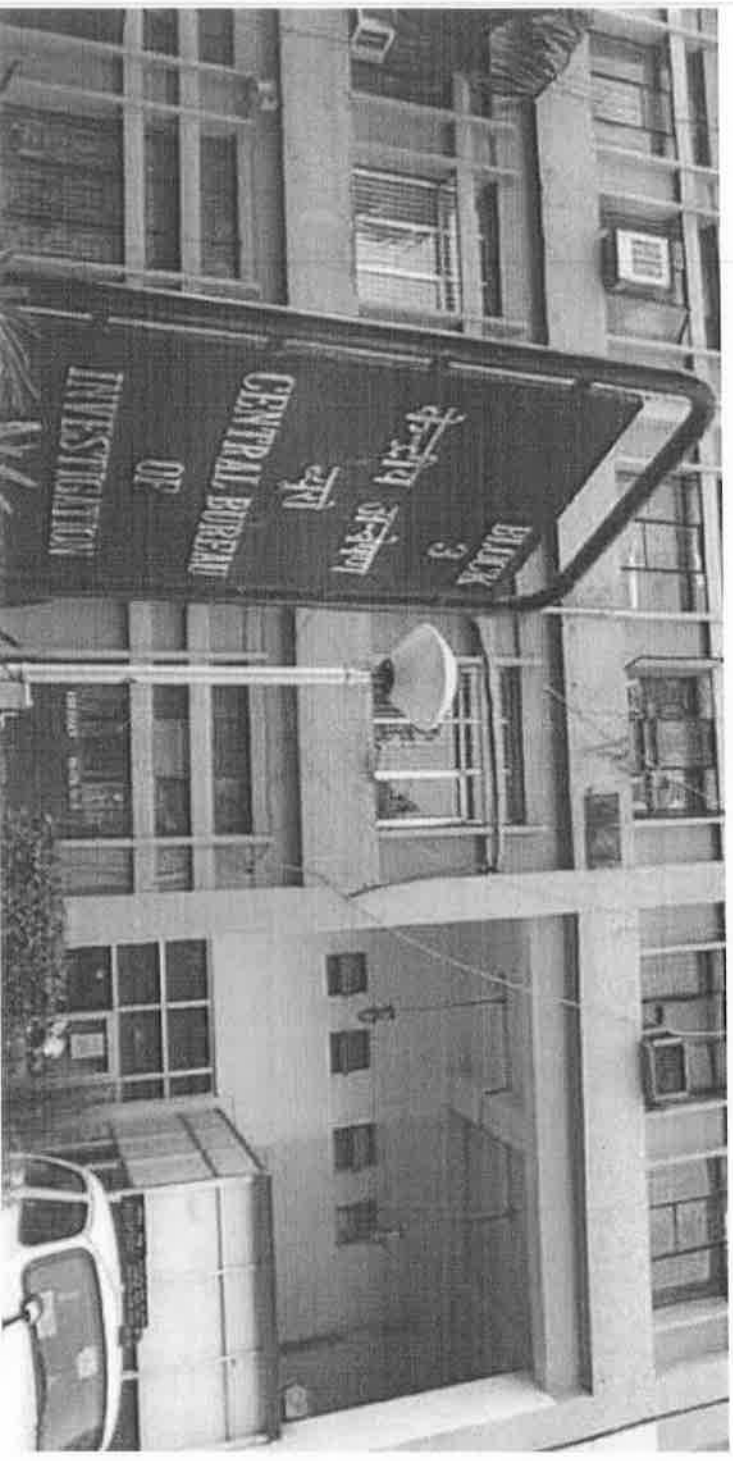
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*CBI prosecutor Sunil Kumar Verma accused Vatsa of beating him inside the latter's office at the agency headquarters on October 9 morning.*

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CBI Headquarters (File Photo | PTI)

By Express News Service

**NEW DELHI:** A Delhi court has issued summons to a CBI DIG for alleged physical assault on the agency's prosecutor for the reported delay in the framing of charges against CM's former Principal Secretary Rajendra Kumar in a corruption case.

Central Bureau of Investigation's prosecutor Sunil Kumar Verma accused Deputy Inspector General (DIG) Raghavendra Vatsa of beating him inside the latter's office at the CBI headquarters on October 9 morning, following which Verma filed a

complaint at the Lodhi Road police station the same day for action against the accused.

CBI spokesperson RK Gaur said, "A fact-finding inquiry has been marked into the allegations levelled against the DIG by the public prosecutor in the case."

In his police complaint, Verma said, "On October 9, as soon as I entered his office, he punched me in the face after asking my name. He then asked me to sit down to have a chat. I walked out of his room and started shouting that I have been assaulted. I want you to take appropriate action regarding this matter."

On October 12, while appearing in the case, Verma informed the court about the unsavoury incident. Special Judge Rakesh Kumar Sharma of Rouse Avenue court took cognisance of the accusation and summoned DIG Vats on October 19. Rajendra Kumar, was accused of awarding Delhi government's contracts of Rs 9.5 crore to private firm Endeavour Systems Private Limited. He was arrested in 2016 but later granted bail.

The agency had filed a charge sheet against Kumar nearly four years ago. Meanwhile, sources said that Verma did not inform any of the senior agency officers about the alleged assault. According to sources, the DIG had submitted an official complaint on October 8 to his seniors against Verma for alleged misbehaviour and lackadaisical attitude towards work.

### Contrasting versions

Verma allegedly misbehaved with Vatsa on October 9, and was taken away by other officers. Sources alleged that Verma then gave a different version of the incident in his police complaint

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