



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO. 7209 OF 2025

Dr. Vidya Sagar Banarsi Das Garg
S/o. Late Shri Banarasi Das,
Aged about 70 yrs, Occ. Senior Citizen,
R/o. Nagpur, Maharashtra.

....**PETITIONER**

..VERSUS..

1. Union of India,
through its Secretary,
Ministry of Home Affairs, North Block,
New Delhi 110 001
2. Central Bureau of Investigation (CBI),
thr its Director, 6th Floor, Lodhi Road,
Plot No. 5-B, Jawaharlal Nehru Stadium Marg,
CGO Complex, New Delhi, Delhi 110 003
3. Punjab National Bank (PNB)
through its Chairman and Managing Director,
New Delhi
4. Sh. Kaushal Kishore Singh,
Investigating Officer, EOB, CBI, Ranchi,
Jharkhand
5. Sh. Ashok Yadav,
Investigating Officer, ACB,
CBI, Buti Road, Ranchi 834012, Jharkhan
6. Sh. R.P. Singh, Investigating Officer,
CBI, BSFB, 5th Floor, Lodhi Road,
Plot No. 5-B, Jawaharlal Nehru Stedium Marg,
CGO Complex, New Delhi, Delhi 110 003
7. Mr. Sharad Agrawal,
Jt. Director, CBI, Patna
Regional Office, Patna, Bihar

8. Central Bureau of Investigation (CBI),
thr its Investigating Officer, EOB
Kali Babu Street, Ranchi 834001
Jharkhan.

.....RESPONDENTS

Mr. Hrishikesh Chitale, Advocate for petitioner.
Mr. C.J. Dhumane, Advocate for respondent

CORAM:- ANIL S. KILOR, &
RAJNISH R. VYAS, JJ.

Dated: 18.12.2025

JUDGMENT (PER : RAJNISH R. VYAS)

Heard learned counsels for respective parties.

2. Perused record of the case. Following are the prayers made in this petition.

a) Call for Case Diary in respect of FIR RC 0932019E0007 dated 24.12.2019;

b) Declare the implication of the petitioner in FIR RC 0932019E0007, freezing of accounts, and continued harassment, as illegal and violative of Article 14,19 and 21;

c)Direct respondent No. 2(CBI) to forthwith hand over the petitioner's locker key and passbooks at Nagpur, without insisting on travel to Delhi;

d)Direct respondents to ensure no further coercive or harassing actions are taken against the petitioner.

e)Award exemplary compensation to the petitioner for prolonged harassment, unlawful deprivation of pension and assets, and reputational loss, on the lines of ***Nambi Narayanan (2018) and Nilabati Behra (1993)***;

f) Direct appropriate proceedings to be initiated against erring CBI officers arrayed as respondents herein;

g) Frame guidelines to ensure:

Pension accounts of senior citizens are never frozen during investigation;

Locker key and seized articles are returned without forcing unnecessary travel;

Any other relief which the Hon'ble Court deems fit in the facts and circumstances of the case and to ensure the justice.

h) Pass such other or further orders as this Hon'ble Court deems fit in the interest of justice.

a) During the pendency and final disposal of the instant Writ Petition, direct the immediate delivery of the locker key and passbooks to the petitioner at Nagpur by the respondent No. 2 by restraining the respondents from calling petitioner unnecessarily to Delhi or elsewhere.

b) Pass such other or further orders as this Hon'ble Court deems fit in the interest of justice.

3. In short, it is the case of the petitioner, that he is a person, who is 70 years old and is a victim of continuous harassment at the hands of different investigating agencies. He submits that on 4.11.2004, he was appointed as a whole time director in a company M/s. Corporate Ispat Alloys Ltd (CIAL) as a paid employee and was drawing salary from the said company. He was inducted for facilitating mining leases for minerals

required by said company. According to him, he was not at all involved in day to day business of the company.

4. He further submits that though against the officers of said company, an action was taken under civil and criminal law but the multiple agencies have exonerated the petitioner. At page 4 of the petition, he submits that he has been exonerated by CBI, BSFB Kolkata, CBI EO-III, New Delhi and ED Kolkata (2018 complaint under PMLA).

5. In spite of this, according to the petitioner, on 24.10.2019, Punjab National Bank, Kolkata lodged complaint making the petitioner an accused and on 24.12.2019, CBI EOB, Ranchi registered FIR against him. He submitted that he was subjected to continuous harassment and torture for five years by five different investigating officers of CBI EOB Ranchi, CBI ACB, Ranchi before transferring the case to BSFB Delhi. According to him, the plight of harassment can be classified under following heads:

- a) Arbitrary shifting of investigation across multiple agencies.
- b) Illegal seizure without substantive grounds
- c) Freezing of pension and family accounts – a violation of rights to life
- d) CBI's own admission : petitioner only a witness:

- e) False representation before Prime Minister's Grievance Cell
- f) Petitioner not named in Charge sheet – yet no relief.
- g) Willful delay in cognizance due to CBI's inaction
- h) CBI files de-freezing application after unjustified delay
- i) Relief granted by Court after 5 years of hardship
- j) Even after the orders from the Ld Trial Court the harassment continues
- k) No word on passbooks of the petitioner
- l) Interference of Jt Director CBI, Patna Regional Office in investigation

In order to contend that he was continuously harassed, he submits that though CBI has issued notice under Section 160 of the Code of Criminal Procedure, which is applicable to witnesses only, the authorities failed to take any step towards releasing the petitioner's frozen assets. He further submits that the trial Court, after five years, had passed the order directing de-freezing of petitioner's account and locker. He further submits that CBI has insisted that he must personally travel from Nagpur to Delhi to collect locker keys seized in 2020, despite locker is at Nagpur and the petitioner is of advanced age.

6. In the aforesaid background, we have considered the arguments and documents filed on record.

7. First Information Report dated 24.12.2019 which culminated in CBI Case No. RC0932019E007, was investigated and which resulted into filing of chargesheet against other accused persons. So far as present applicant is concerned, in final report, more particularly, at page 206, following remarks were made by the Investigating Officer:

“No incriminating evidence came on record against Shri Vidyasagar Banarasidas Garg during course of investigation.

It is submitted that at page 253, paragraph 8 it has been stated that the further investigation of the case has been transferred from CBI - ACB Ranchi to CBI, BSFB, Delhi with effect from 19.12.2024. Though, particular order regarding taking cognizance of the final report is not brought to our notice but taking into consideration pleadings made by CBI in an application for defreezing the locker and bank account, more particularly, at page 253, we can say that cognizance has been taken. It is thus, worth considering that after conducting of investigation, the CBI has filed closure report so far as present applicant is concerned, and consequently, CBI had preferred an application for defreezing of locker and

account before the jurisdictional court which is at page 251. It was thus, the Investigating Agency which preferred an application for defreezing of locker and account of the petitioner which was allowed on 28.7.2025 by the jurisdictional court. Thus, in the aforesaid background, it cannot be said that the Investigating Agency had any personal grudge against the petitioner.

8. It is pertinent to mention here that pleadings in the case are not sufficient to arrive at the conclusion that the applicant was harassed by the investigating agency. Just because there is investigation and during course of which some actions are taken by the Investigating Officer, it cannot be said that petitioner was subjected to harassment. The contention of the petitioner that since notice under Section 160 of Criminal Procedure Code was issued to him by CBI and therefore, authorities should have taken steps towards releasing the petitioner's frozen assets, is prima facie not satisfactory. It was for the petitioner also to take steps for de-freezing of account. The petitioner submits that Investigating Officer/CBI has insisted that the petitioner must personally travel from Nagpur to Delhi to collect the locker keys seized in 2020 despite locker being at Nagpur and

the petitioner is of advance age. This can be a ground to make a request to CBI which can always be considered.

9. Admittedly, the petitioner was named as an accused. In complaint lodged by Punjab National Bank, Kolkatta which had resulted into registration of FIR No. RC 0932019E0007 by CBI, EOB Ranchi, the subsequent transfer of investigation of the aforesaid FIR to the different agencies or officers cannot be said to be an act of harassment. The petitioner, being accused in the said case, cannot chose investigating agency. We are aware of the fact that the petitioner is 70 years old and have full sympathy for him but fact remains that the investigation of crime is required to be taken at the logical end.

10. As on today, we are of the opinion that the reliefs prayed by the petitioner cannot be granted as several disputed question of facts are involved. Learned counsel for petitioner submits that prolonged harassment, unlawful deprivation of pension and reputational losses are in fact, in contravention of judgment delivered by Hon'ble Apex Court in case of *S. Nambi Narayan Vs. Siby Mathews and Ors*, reported in **2018(10)**

SCC 804.

11. We have gone through the aforesaid judgment delivered by the Hon'ble Apex Court. In that case, appellant was subjected to prosecution of espionage. The investigation there was by special investigating team and the respondent No.1 arrested appellant therein without evidence. The investigation of crime then was handed over to CBI which gave clean-chit to the appellant therein, who was discharged by the Court. In a communication issued by CBI to the State Government, it was categorically mentioned that respondent therein had committed lapses and also stated about indiscriminate arrest of the appellant therein. The State Government since was not satisfied with the report of CBI, reopened the investigation and said Notification was quashed by the Court. It is in this background, appellant therein prayed for action of the Government against the respondent No.1 therein but the State Government did not take any action.

In the aforesaid background, the Hon'ble Apex Court, constituted committee headed by former judge of the Hon'ble Apex Court. The Hon'ble Apex Court directed the State Government to pay sum of

Rs. 50 lacs towards compensation to the appellant therein.

12. There is absolutely no dispute about the law laid down by the Hon'ble Apex Court in the aforesaid case. In the case in hand, after investigation, though it was opined by the Investigating Officer that no evidence was found against the applicant, fact remains that just because investigation was conducted by the different agencies and due to which some inconvenience might have caused, it will not ipso facto, in absence of proper material and specific pleadings, the applicant will be entitled for the relief prayed.

13. In that view of the matter, we are of the opinion that petitioner has not made out any case which requires interference at the hands of this Court, hence, the petition is dismissed. We grant liberty to the petitioner to make application to CBI to hand over keys at Nagpur. If such application is made, CBI shall decide the same within one week and communicate the decision to the petitioner, in next one week.

(RAJNISH R. VYAS, J.)

(ANIL S. KILOR, J.)