IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CRIMINAL MISC. PETITION NO._____ OF 2014

IN

WRIT PETITION [CIVIL.] NO. 463 OF 2012

IN THE MATTER OF:-

COMMON CAUSE & ORS. ...PETITIONERS

VERSUS

THE UNION OF INDIA & ORS. ...RESPONDENTS

INDEX PAPER BOOK

ADVOCATE FOR THE APPLICANT :**CHANDRA PRAKASH**

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APPLICATION UNDER SECTION 195 READ WITH SECTION 340 OF THE CRIMINAL PROCEDURE CODE

To

The Hon'ble Chief Justice of India
and His Hon'ble Companion Justices
of the Hon'ble Supreme Court of India.

The humble application of the applicant above named

MOST RESPECTFULLY SHOWETH

1. That I.A. No. 19 of 2014 was filed on 18.09.2014 before this Hon'ble Court in the present matter by Mr. Kamal Kant Jaswal who has sworn in the affidavit on behalf of the Applicant wherein it was stated that credible information was received by the counsel for the Petitioner (i.e., Shri. Prashant

Bhushan) that the Income Tax Department had prepared the Appraisal Report which goes into the details of illegal operations of Mr. Moin Qureshi and his dealings with various individuals.

2. The deponent in the said Application further stated that according to the information received from trustworthy and reliable sources by the Petitioner's counsel (i.e., Shri. Prashant Bhushan) the Appraisal Report of the Income Tax Department also covered in some details the dealing of Mr. Moin Qureshi with Mr. Ranjit Sinha, Director, CBI. The Deponent in the said application prayed that a direction be given to the Central Government to produce before this Hon'ble Court the Appraisal Report prepared by the Director General of Income Tax (Investigations) on their investigations of Mr. Moin Qureshi. Relevant extracts of the said application relating to the said averment are as reproduced below:

> "10. **Credible information has been received by** the counsel for the petitioners that the Income Tax Department has not prepared the aforesaid appraisal report which has been referred to in the letter of 11.06.2014 (annexed above). The said appraisal report goes into the

details of the illegal operations of Mr. Qureshi and his dealings with various individuals. According to the information received from trustworthy and reliable sources by the petitioners' counsel, the said appraisal report also covers in some detail the dealings of Mr. Qureshi with Mr. Ranjit Sinha, Director, CBI.

11. Therefore, the petitioners request this Hon'ble Court to call upon the Central Government to produce the appraisal report prepared by the DGIT in connection with their investigations of Mr. Moin Qureshi."

3. The aforesaid content of the said application is clearly mischievous and is based upon untrue facts in which mis-statements have been deliberately made so as to obtain favourable orders from this Hon'ble Court.

4. That the facts which have been deliberately wrongly made in the application, are dealt with as under:-

(i) That on 17.10.2014 the matter was heard by this Hon'ble Court wherein the Ld. Attorney General appearing on behalf of the Union of India tendered to this Hon'ble Court the aforesaid Appraisal Report prepared by the Income Tax Department in respect

of Mr. Moin Qureshi in a sealed cover. Ld. AG submitted before the Hon'ble Court that there was nothing against the present Director, CBI in the aforesaid Income Tax Department Appraisal Report. The said submission of Ld. Attorney General was also widely reported in the print and electronic media. The relevant extracts of the newspaper reports dated 18.10.2014 are annexed hereto and marked as **Annexure P-1.**

(ii) That the deponent also stated in the said application filed on 18.09.2014 that credible information was received by the counsel for the Petitioner that the Income Tax Department had prepared the Appraisal Report which goes into the details of illegal operations of Mr. Qureshi and his dealings with various individuals. It is submitted that when the matter was listed before this Hon'ble Court on 19.09.2014, Ld. AG appearing on behalf of Union of India submitted that the Report was not ready and therefore sought four (4) weeks time to place the Report before the Hon'ble Court.

5. All these false statements as stated above have been deliberately and intentionally made by the deponent and the counsel for the Petitioner during the course

of hearing on 19.09.2014 and 17.10.2014 to cause a circumstance to exist with the objective of misleading this Hon'ble Court and hence the deponent Mr. Kamal Kant Jaswal as well as counsel for petitioner Mr. Prashant Bhushan are punishable under various sections of the IPC including Section 193.

PRAYER

It is, therefore, most respectfully prayed that this Hon'ble Court may be pleased to:

A. Direct the concerned Police Station to register an FIR against Mr. Prashant Bhushan, the Petitioner Association (i.e., Common Cause) and Mr. Kamal Kant Jaswal for making deliberate and intentional false statements on oath and before this Hon'ble Court in these proceedings.

B. Pass other or further orders as may be deemed fit and proper.

AND FOR THIS ACT OF KINDNESS THE APPLICANT AS IN DUTY BOUND SHALL EVER PRAY

[ ]
Advocate for the applicant

FILED ON: 17.11.2014

NEW DELHI

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

I.A. NO. OF 2014

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AFFIDAVIT

I Ranjit Sinha, s/o late N.S. Sinha, aged 62 years, working as Director, CBI at CBI Headquarters, Lodhi Road, New Delhi, do hereby solemnly affirm and state as under:

1. That I am the applicant in the above mentioned matter and I am conversant with the facts and circumstances of the case and hence competent to swear this affidavit.

2. That I have read the accompanying application under section 195 read with section 340 of the Counsel for Respondent. P.C. and having understood the contents thereof, I say that the facts stated therein are true to my knowledge.

3. That the facts stated in the above affidavit are true to my knowledge and the Court proceedings. No part of the same is false and nothing material is concealed therefrom.

DEPONENT

RANJIT SINHA
Director
C.B.I., New Delhi

VERIFICATION

I the above named deponent do hereby verify that the facts stated in the above affidavit are true to my knowledge. No part of the same is false and nothing material is concealed therefrom.

Verified at New Delhi on this the -15 day of November, 2014

DEPONENT

RANJIT SINHA
Director
C.B.I., New Delhi

HINDUSTAN TIMES, NEW DELHI
SATURDAY, OCTOBER 18, 2014

ANNEXURE-P1

'No taint on Sinha in I-T probe report'

DISCLOSURE Centre's submission in SC after it asks govt for report on meat exporter Moin Qureshi

HT Correspondent
letters@hindustantimes.com

NEW DELHI: Virtually giving a clean chit to Central Bureau of Investigation (CBI) director Ranjit Sinha, the Centre on Friday told the Supreme Court that there was nothing directly against him in the income tax department's probe report against controversial meat exporter Moin Qureshi.

The income tax department's probe report did not disclose anything incriminating against him, though "it refers to some innuendoes here and there relating to the CBI...," attorney general Mukul Rohatgi told a bench headed by Chief Justice of India HL Dattu.

Rohatgi made the submission in response to the court's order to the government to place the report prepared by the income tax department on Moin Quereshi.

The court had passed the order on an application by NGO Common Cause through advocate Prashant Bhushan accusing Sinha of meeting Qureshi 90 times and that the appraisal report referred to their dealings.

Rohatgi submitted to the court four volumes of documents containing the purported conversations that disclosed murky details of the alleged hawala operators with the bigwigs.

Rohatgi requested the court to go through the third volume as it contained material on alleged links of Qureshi with several other "dignitaries" in the country.

The court burst into laughter after Rohatgi said: "There are some coded languages and expressions used. I only gave you a trailer. Your Lordships must see the movie."

Rohatgi informed the court that the government will soon take a call on whether to order an investigation into the findings of the income tax department's probe.

'No personal remarks': SC gags Coalgate court

HT Correspondent
letters@hindustantimes.com

NEW DELHI: The Supreme Court on Friday asked the special court dealing with coal blocks allocation cases not to make any personal remarks against the officers probing the scam and stick to the point of law.

A bench, headed by justice MB Lokur, passed the order after CBI submitted that two of its officers, including a Superintendent of Police (SP), had expressed reservation against continuation in the team of investigators in the wake of observations made by the trial court questioning their skills.

The bench, also comprising justices Kurian Joseph and AK Sikri, asked SP Nirbhay Kumar and inspector Rajbir Singh to continue in the investigating team and made it clear that no officer can opt out of the probe without the permission of the apex court.

Disapproving of the remarks made by the special court, the bench said, "It (trial court) will stick to the legal issues and not make any personal remarks."

Senior advocate Vikas Singh, appearing for Central Bureau of Investigation (CBI director Ranjit Sinha, submitted the SP was one of the brightest officers in the department and is credited with successfully probing many high-profile cases and adverse remarks would lead to jeopardising his career.

The observation was made by the trial court in the October 15 order in a case involving Vikash Metals and Power Ltd and its officials in which they were accused of making false claims related to land allocation to get undue advantage in the coal block allocation.

When contacted, CBI director Ranjit Sinha told HT, "We are grateful to the apex court for restoring the dignity of the Central Bureau of Investigation."

The trial court had expressed displeasure over CBI's probe in the case.

THE ASIAN AGE (1-A)
18 OCT 2014

'No talks between Qureshi, CBI chief'

AGE CORRESPONDENT
with agency inputs
NEW DELHI, OCT. 17

Attorney-General Mukul Rohatgi on Friday informed the Supreme Court that there were no conversations held between CBI director Ranjit Sinha and Kanpur-based meat exporter Moin Akhtar Qureshi. Mentioning some details of the income-tax appraisal report on Mr Qureshi, the A-G, however, said Mr Qureshi had regular conversations with a former CBI chief who is currently a Union Public Service Commission member.

Although Mr Rohatgi did not name the person, the reference was seen as being to A.P. Singh as the A-G said the former agency chief is now a UPSC member. Mr Singh was the predecessor of CBI director Ranjit Sinha, who is also facing flak for allegedly meeting Mr Qureshi at his residence.

Elaborating on the I-T report, which he claimed was only a "trailer and the real movie is awaited", Mr Rohatgi said the former director had conversations with Mr Qureshi on a daily basis in code through BBM on issues that included helping those accused in some cases. "The conduct of the former CBI director is wholly unbecoming of the director and I am pained to say that," the A-G said.

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No Direct Link Between Sinha and Moin Qureshi: Govt to SC

Messages intercepted between meat exporter & ex-CBI chief AP Singh: Rohatgi

Our Legal Correspondent

New Delhi: The government on Friday held out a face-saver of sorts for beleaguered CBI Director Ranjit Sinha, who is facing allegations of meeting people with links to some accused in the coal and 2G scams. The government told the Supreme Court that it found no "direct" link between Sinha and a controversial meat trader who allegedly was a regular visitor at the CBI chief's official residence.

Instead, Attorney-General Mukul Rohatgi told the court that the government had intercepted BlackBerry messages between Moin Qureshi, the meat trader, and former CBI chief AP Singh that did not behove a CBI head.

The top court, which is monitoring the coal block allocation case probe, had asked Rohatgi for a report on the investigations launched against Qureshi by the I-T Department.

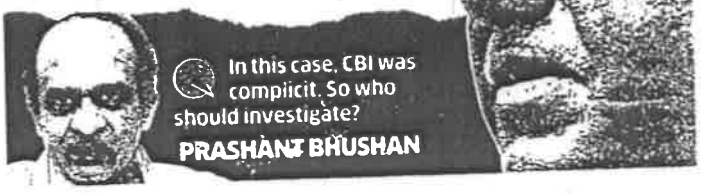
The report was supplied to SC in a sealed cover, but A-G revealed some of its contents, claiming though Qureshi was heard asking other people over phone to come and see a former bureaucrat who would help them, there were no direct references to Sinha.

Sinha can now retire on December 2, as scheduled, unless another bench, which is dealing with the 2G case, finds something blameworthy against him over the controversial entry register showing him meeting some accused in that case. Rohatgi's statement pointed a needle of suspicion against former CBI Director Singh, now a UPSC member. "Qureshi was in touch with him on a daily basis on a variety of subjects regarding helping accused in some other cases, not in these cases," he said. "Such conduct is wholly unbecoming of a CBI director." Attempts to reach Singh failed.

Sinha Gets A Lifeline

SINHA THREATENS to file a fresh perjury case against lawyer Prashant Bhushan

BHUSHAN DEMANDS thorough probe



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