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

+ **CRL.M.C. 132/2026 & CRL.M.A. 488/2026**

MANOJ GARG

.....Petitioner

Through: Mr. Nalin Kohli, Sr. Advocate with
Mr. Arjun Syal, Mr. Indhirajith
Prabhakaran M, Mr. Aditya Rathee,
Mr. Ayushman Arura and Mr. Naman
Verma, Advocates.

versus

CENTRAL BUREAU OF INVESTIGATION

.....Respondent

Through: Mr. Vikrant Pachnanda, SPP with Ms.
Bhavya Sheetal, Advocate.

CORAM:

HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

% **13.01.2026**

CRL.M.C. 132/2026 & CRL.M.A. 488/2026 (stay)

1. Petitioner has assailed order dated 16.12.2025 of the learned trial court, whereby the petitioner was summoned as an accused by the learned trial court subsequent to filing of the second supplementary chargesheet.
2. Learned senior counsel for petitioner has taken me through complete record, pointing out paragraphs 5, 5.1 and 5.2 of the impugned order, which according to him bear the crux. It is submitted by learned senior counsel that the learned trial court passed the impugned order of summoning the petitioner to face trial at a stage when 95 witnesses had already been examined by the prosecution. It is also submitted that the present respondent/CBI also did not press for summoning the present petitioner as



would be reflected from paragraphs 5-5.2 of the impugned order. It is submitted by learned senior counsel that merely on the basis of statement under Section 161 CrPC, which is not a substantive piece of evidence, the petitioner cannot be summoned. In this regard learned senior counsel places reliance on the order of Hon'ble Supreme Court in the case of *Chandra Shekhar vs. State of UP*, 2025 SCC OnLine SC 405.

3. Learned SPP on behalf of respondent/CBI accepts notice and seeks and is allowed four weeks to file status report.
4. The issue requires detailed deliberations in view of aforesaid. As such operation of the impugned order shall remain stayed till next date.
5. Relist on 15.04.2026 in Advance List.

GIRISH KATHPALIA, J

JANUARY 13, 2026/dr