

MHCC020114442026



IN THE COURT OF SPECIAL JUDGE FOR CBI
AT BOMBAY

MISCELLANEOUS APPLICATION NO.811 OF 2026
in
REMAND APPLICATION NO.100897 OF 2026
(CNR No.MHCC02-011444-2026)

Devang Pravin Mody,
Aged: 53 Years,
Having his address at C 1502,
Verde Apartment, Kalyani Nagar,
Pune 411 006.

... Applicant/ Accused

Versus

Central Bureau of Investigation
BSFB, 6th Floor, Lodhi Road, Plot No.5-B,
Jawaharlal Nehru Stadium Marg,
CGO Complex, New Delhi 110 003.

... Respondent/Complainant

Appearances:

Ld. Senior Counsel Abaad Ponda a/w. Adv. Pranjit Bhattacharya a/w.
Adv. Avdhoot Prabhu a/w. Adv. Dhuru Mishra for applicant.
Ld. Sr. PP Mr. J. K. Sharma for CBI.

CORAM : HIS HONOUR SPECIAL JUDGE
SHRI NITIN V. JIWANE
SPECIAL COURT (C.R.NO.52)
DATE : JULY 31, 2026.

(DICTATED AND PRONOUNCED IN OPEN COURT)
:ORAL ORDER:

This is an application filed by applicant/accused for directing CBI for providing copy of charge-sheet filed on 07.07.2026. It is contention of applicant that he was arrested by CBI in relation to case No.RC07402025E0007-CBI, BSFB, New Delhi for the offences punishable under section 120-B r/w. 420 of IPC r/w. sections 7, 13(2) r/w. 13(1)(d) of the Prevention of Corruption Act. After production of the applicant before the Designated Court, he was remanded to CBI custody till 25.06.2026 and thereafter, remanded to judicial custody. In the said offence, CBI has filed details charge-sheet on 07.07.2026 arraying the present applicant as accused in the said case alongwith other accused persons.

2. It is further contention of applicant that as per provision of section 230 of BNSS, 2023, it was obligatory on the CBI to furnish copy of charge-sheet to the applicant, without delay and in no case beyond fourteen days from the date of production or appearance of the accused. The applicant was produced before this Court on 08.07.2026 and the fourteen days expired on 22.07.2026. But till date, CBI has not furnished the copy of charge-sheet to the applicant, which is in violation of provision of section 230 of BNSS, 2023. The applicant is in need of the copy of the charge-sheet for defending himself in the said offence. The investigation is already completed, as the CBI has filed the charge-sheet in the Court. Therefore, prayed that CBI be directed to provide copy of charge-sheet including all relied documents to the applicant and prayed to allow the application.

3. The said application is opposed by CBI by filing reply at Exh.2. It is the contention of CBI that though the charge-sheet has been filed on 07.07.2026 under section 120-B r/w.420 of IPC, however, investigation

has been kept open to look into the roles of public servant and other suspect /accused persons. It is further contended that the cognizance of the offence is yet to be taken in this case and therefore, prosecution opposes supply of copy of charge-sheet to the applicant. Hence, prays to dismiss the application or to pass appropriate order.

4. Heard Ld. Senior Counsel Mr. Abaad Ponda for applicant and Ld. Senior PP Mr. J. K. Sharma for CBI. Perused the application and the say filed.

5. It is matter of record that the applicant was came to be produced before this Court on 23.06.2026 and he was remanded to CBI custody till 25.06.2026. As the CBI claimed judicial custody of the applicant on 25.06.2026, therefore, the applicant was remanded to judicial custody till 08.07.2026 which was extended till 20.07.2026 and 03.08.2026. Thus, the applicant was arrested in case No.RC07402025E0007-CBI, BSFB, New Delhi for the offences registered under section 120-B r/w. 420 of IPC r/w. sections 7, 13(2) r/w. 13(1)(d) of the Prevention of Corruption Act and he is in judicial custody right now.

6. By the present application, applicant seeks the direction to be issued to CBI for supplying the copy of charge-sheet to the applicant. In support of his contention applicant has relied on the provision of section 230 of BNSS, 2023, which reads as under:-

“230. Supply to accused of copy of police report and other documents.

In any case where the proceeding has been instituted on a police report, the Magistrate shall without delay, and in

no case beyond fourteen days from the date of production or appearance of the accused, furnish to the accused and the victim (if represented by an advocate) free of cost, a copy of each of the following:-

(i) the police report;

(ii) the first information report recorded under section 173;

(iii) the statements recorded under sub-section (3) of section 180 of all persons whom the prosecution proposes to examine as its witnesses, excluding therefrom any part in regard to which a request for such exclusion has been made by the police officer under sub-section (7) of section 193;

(iv) the confessions and statements, if any, recorded under section 183;

(v) any other document or relevant extract thereof forwarded to the Magistrate with the police report under sub-section (6) of section 193:

Provided that the Magistrate may, after perusing any such part of a statement as is referred to in clause (iii) and considering the reasons given by the police officer for the request, direct that a copy of that part of the statement or of such portion thereof as the Magistrate thinks proper, shall be furnished to the accused:

Provided further that if the Magistrate is satisfied that any such document is voluminous, he shall, instead of furnishing the accused and the victim (if represented by an advocate) with a copy thereof, may furnish the copies through electronic

means or direct that he will only be allowed to inspect it either personally or through an advocate in Court:

Provided *also that supply of documents in electronic form shall be considered as duly furnished.”*

Thus, as per the provision of section 230 of BNSS, 2023, it was provided that within fourteen days of the production of accused or his appearance the Magistrate is required to direct to supply the copy of all the documents mentioned in (i) to (v) of section 230 of BNSS, 2023.

7. As per learned Senior PP, the cognizance of the offence is not yet taken by the Designated Court and therefore, the copy of the charge-sheet filed against the accused cannot be supplied, till the cognizance is taken of the offence.

8. It is noteworthy to mention here that CBI has filed charge-sheet in the Court which is registered Special Case No.101341 of 2026 (C.B.I., B.S.F.B. V/s. Devang Pravin Mody and Ors.). Thus, the charge-sheet filed by the CBI is duly scrutinized and the same is registered. Therefore, the applicant being one of the accused in the said case is entitled for the copy of the charge-sheet filed by the CBI for taking necessary legal assistance to defend himself in the said case. Further, no prejudice is going to cause to the CBI, if the copy of the charge-sheet is supplied to the accused. Therefore, in the facts and circumstances of the present case, I am of the considered opinion that, the applicant is entitled for receiving the copy of charge-sheet filed against him by the CBI. Hence, I proceed to pass following order:-

ORDER

1. Miscellaneous Application No.811 of 2026 in Remand Application No.100897 of 2026 is allowed.

2. C.B.I., B.S.F.B., New Delhi, is hereby directed to supply the copy of charge-sheet to applicant.

3. Looking to the voluminous record of charge-sheet, the C.B.I., B.S.F.B., New Delhi, is hereby directed to supply the copy of charge-sheet to applicant through electronic means.

4. Miscellaneous Application No.811 of 2026 is disposed off accordingly.



Date: 31.07.2026

(N.V. Jiwane),
Special Judge (MPID), C.R. No.52,
City Civil & Sessions Court,
Gr. Bombay.

Dictated directly on computer :31.07.2026

Signed by HHJ on :31.07.2026

“CERTIFIED TO BE TRUE AND CORRECT COPY OF THE ORIGINAL
SIGNED JUDGMENT/ORDER”

UPLOAD DATE AND TIME

NAME OF STENOGRAPHER

31.07.2026 (12.49 p.m.)

Arun A. Mudaliyar

Name of the Judge (with Court Room No.)	Shri N.V. Jiwane C.R. No.52
Date of Pronouncement of JUDGMENT/ ORDER	31.07.2026
JUDGMENT/ORDER signed by P. O. on	31.07.2026
JUDGMENT/ORDER uploaded on	31.07.2026