

JUDGES (INQUIRY) ACT, 1968



REPORT
OF
THE INQUIRY COMMITTEE

(VOLUME I)

CORAM

Mr. Justice Aravind Kumar
Judge, Supreme Court of India
(Presiding Officer)

Mr. Justice Shree Chandrashekhar,
Chief Justice, Bombay High Court

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Senior Advocate, Karnataka High Court
(Members)

IN THE MATTER OF – MOTION FOR REMOVAL OF JUSTICE YASHWANT
VARMA, JUDGE, ALLAHABAD HIGH COURT

Authenticated



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REPORT OF THE INQUIRY COMMITTEE CONSTITUTED UNDER SUB-SECTION (2) OF SECTION 3 OF THE JUDGES INQUIRY ACT, 1968

1 INTRODUCTION

1. The present Report arises from an incident which, in its origin, appeared to be a fire in a storeroom, but, upon the arrival of public officials, disclosed circumstances of a far graver character. On the intervening night of 14.03.2025 and 15.03.2025, a fire was reported at the official residential premises of Hon'ble Mr. Justice Yashwant Varma, then a Judge of the High Court of Delhi, situated at 30, Tughlaq Crescent, New Delhi. For convenience, Hon'ble Mr. Justice Yashwant Varma shall hereinafter be referred to as "the Judge", who was elevated as an Additional Judge of the High Court of Judicature at Allahabad on 13.10.2014, took oath as a Permanent Judge of that Court on 01.02.2016, and was thereafter transferred to the High Court of Delhi on 11.10.2021. Subsequent to the incident forming the subject matter of the present inquiry, he was transferred back to the High Court of Judicature at Allahabad and took oath there on 05.04.2025.
2. The fire incident was reported through a Police Control Room call. Fire tenders from the Delhi Fire Services reached the premises, and police officials also arrived at the spot. While the fire was being doused and cooling operations were undertaken, officials of the Delhi Fire Services and Delhi



Police noticed material inside the storeroom which appeared to be Indian currency notes in burnt, half-burnt and wet condition. Photographs and videos of the scene were taken by officials present at the spot and forwarded to their superior officers. In due course, the incident, including the visual material, attracted wide circulation in the print and electronic media. The matter, however, did not move merely because of public reporting. It moved through institutional communications and constitutional channels.

3. During the Monsoon Session of Parliament, Members desirous of initiating proceedings for removal of the Judge submitted notices of motion on 21.07.2025. The notice for removal was admitted by the Speaker of the Lok Sabha on 12.08.2025. In exercise of powers under Section 3(2) of the Judges (Inquiry) Act, 1968, the Speaker constituted a three-Member Committee for making an investigation into the grounds on which removal of the Judge was prayed for. The constitution of the Committee was published in the Gazette of India on 12.08.2025 and was communicated by the Secretary General, Lok Sabha, Shri Utpal Kumar Singh, vide communication dated 19.08.2025 to the Presiding Officer.
4. The Committee as originally constituted comprised Justice Aravind Kumar, Judge, Supreme Court of India, as Presiding Officer; Justice Maninder Mohan Shrivastava, Chief Justice, Madras High Court; and Shri B.V. Acharya, Senior Advocate, Karnataka High Court, as the distinguished jurist. Upon retirement of Justice Maninder Mohan Shrivastava, Chief

Justice of Madras High Court on 05.03.2026 on attaining superannuation resulted in a subsequent change in composition, the Committee came to be reconstituted on 25.02.2026, effective from 06.03.2026, with Justice Shree Chandrashekhar, Chief Justice of Bombay High Court, joining as Member in place of Justice Maninder Mohan Shrivastava. The continuity of the inquiry was preserved by ensuring that the complete record was placed before the newly inducted Member.

5. Smt. Aishwarya Bhati, learned Additional Solicitor General of India, was appointed in terms of Section 3(9) of the Act to assist in conducting the case against the Judge. Shri Raja Thakare, learned Senior Advocate, also came to appear as learned counsel appointed under the Act. The Committee thereafter commenced its work by securing the record from the Registry of the Supreme Court of India, and from the Lok Sabha Secretariat etc.
6. The material received from the officials led to communication with Justice Devendra Kumar Upadhyaya, Chief Justice of the High Court of Delhi, hereinafter referred to as "the Chief Justice of the Delhi High Court". The Chief Justice of the Delhi High Court communicated the matter to Justice Sanjiv Khanna, then Chief Justice of India, hereinafter referred to as "the CJI". The CJI thereupon caused the response of the Judge to be sought on the central questions arising from the incident, namely, how the presence of money or cash in the room located in his premises was to be accounted for,

what was the source of such money or cash, and who had removed the burnt money or cash from the room in the morning of 15.03.2025.

7. The Judge furnished his response dated 22.03.2025 whereunder he contended, *inter alia*; that the storeroom was used for storing articles such as unused furniture, bottles, crockery etc.; that it was disconnected from the main residence; that he and his wife were not in Delhi at the relevant time; that no cash or currency notes was seen by members of his household or staff after the fire was doused; and that no cash had been placed there by him or by members of his family. He also contended that the material shown to him gave rise to an apprehension of conspiracy.
8. Upon receipt of the report of the In-House Committee, the CJI, on consideration of the material and conclusions recorded therein, advised the Judge to resign from office or seek voluntary retirement. The said course was not availed by the Judge. The CJI thereafter addressed communications to the Hon'ble President of India and the Hon'ble Prime Minister of India, forwarding the In-House Committee report.
9. The Judge thereafter approached the Supreme Court by way of Writ Petition (Civil) No. 699 of 2025, challenging, *inter alia*, the report of the In-House Committee and the forwarding thereof by the CJI. The said writ petition came to be dismissed on 07.08.2025. Thus, the matter crossed the in-house stage and entered the constitutional and statutory field governing removal of a Judge.

10. The constitutional scheme in this regard is contained in Article 124(4) of the Constitution of India, made applicable to Judges of the High Courts by Article 218. Article 124(4) contemplates removal of a Judge on the ground of proved misbehaviour or incapacity upon submission of a motion for presenting an address to the Hon'ble President praying for the removal of the Judge and passing such motion by each House of Parliament supported by the prescribed special majority. Article 124(5) empowers Parliament to regulate by law the procedure for presentation of such address and for investigation and proof of misbehaviour or incapacity. It is in exercise of this constitutional authority that Parliament enacted the Judges (Inquiry) Act, 1968, supplemented by the Judges (Inquiry) Rules, 1969.
11. The statutory design under the Judges (Inquiry) Act, 1968 is deliberate and structured. Proceedings under the Judges (Inquiry) Act, 1968 are sui generis. They are not criminal trials in the ordinary sense. Nor are they adversarial proceedings simpliciter. Section 3 provides for admission of a motion and constitution of a Committee for investigation into the grounds on which removal is prayed for. Section 3(2) prescribes the composition of such Committee. Section 3(3) requires the Committee to frame definite charges against the Judge on the basis of which the investigation is proposed to be held. Section 3(9) enables the appointment of advocates to conduct the case against the Judge. Section 4(1) vests in the Committee the authority to regulate its own procedure, subject to the requirement that the Judge be

afforded reasonable opportunity of cross-examining witnesses, adducing evidence and being heard in defence. Section 4(2) requires the Committee to submit its report to the Speaker or Chairman, as the case may be, stating its findings on each charge together with reasons. Section 5 of the Act confers upon the Committee powers of a civil court for summoning witnesses, receiving evidence on oath, requiring production of documents and allied matters.

12. The Judges (Inquiry) Rules, 1969 carry forward the statutory scheme. The Rules contemplate communication of charges in the prescribed form, service upon the Judge, opportunity to file a written statement of defence, recording of evidence, and submission of report within the prescribed period. Rule 8 contemplates that, upon proof of service, the inquiry may proceed even in the absence of the Judge.
13. Upon scrutiny of the material, the Committee, in its meeting held on 23.11.2025, resolved to frame Articles of Charge. The charges were framed under Section 3(3) of the Act and were communicated to the Judge in Form I under the Judges (Inquiry) Rules, 1969, together with the statement of grounds, list of relied upon documents and list of witnesses. The Form I notice was signed by the Presiding Officer on 26.11.2025 and served upon the Judge on 27.11.2025. The Judge was informed that he may appear in person or through a legal practitioner duly instructed and able to answer all



material questions relating to the inquiry, and that in default of appearance, the investigation may proceed in his absence.

14. The Judge sought time to file his written statement of defence and raised issues concerning supply of material and the procedure to be adopted. The Committee considered the requests and granted extension up to 12.01.2026. The relied upon material, including volumes of documents and statements recorded during the In-House proceedings, was furnished. The Judge thereafter filed his statement of defence. He also challenged the constitution of the Committee by way of Writ Petition (Civil) No. 1233 of 2025 before the Supreme Court. The said writ petition came to be dismissed on 16.01.2026. There being no impediment to the continuation of the inquiry, the Committee proceeded further.
15. In its meeting dated 19.01.2026, the Committee considered the statement of defence and resolved that the inquiry was required to proceed to the stage of evidence. The procedure for the inquiry was formulated and communicated. The proceedings were to be held in camera; examination-in-chief, as far as practicable, was to be received by affidavit; copies thereof were to be supplied in advance; the right of cross-examination was preserved; and opportunity to adduce evidence and address submissions was contemplated in accordance with the Act.
16. Thereafter, the Committee conducted proceedings on several dates. Interlocutory applications filed on behalf of the Judge were heard and

decided. Some applications were rejected, some were allowed in part, and directions were issued for production of official records where the Committee found the request was relevant to cross-examination and fairness. Inspection of relied upon documents was permitted. Official records from Delhi Police, CRPF, Police Station Tughlaq Road and Delhi Fire Services were produced and marked. Nine witnesses were examined on behalf of the presenting side. They were cross-examined at length by learned Senior Counsel appearing for the Judge. Documentary and electronic material came to be marked as exhibits, from **C-1 to C-5** and **P-1 to P-128**.

17. Upon completion of evidence on behalf of the presenting side on 17.03.2026, the Committee directed the Judge to furnish the list of witnesses proposed to be examined in defence, together with affidavits in lieu of examination-in-chief, if any. Time for doing so was enlarged up to 06.04.2026 at the request made on behalf of the Judge and date of next hearing was fixed on 10.04.2026. No list of defence witnesses or affidavits were filed on the 10.04.2026. Instead, on 10.04.2026, the Committee received a communication dated 09.04.2026 from the Judge stating that he was withdrawing from the proceedings. In order to substantiate his defence, and contentions raised in the statement of defence, the Judge ought to have entered the witness box which he did not choose to do so. It is also necessary and relevant to observe at this stage itself, that Judge having raised inconsistent pleas with regard to the presence of the cash and having made

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suggestions to the witnesses examined before the Committee has not even prayed or sought for any witnesses whose names are found in the witness list for being summoned on his behalf. Thus, his plea or defence has remained as such without being proved. The least that could have been done by the Judge, was to enter the witness box and deny the charge, which he did not choose to do but abandoned (withdrew) from further participation in the Inquiry and as such the Committee has proceeded to examine the material evidence available on record in the background of three charges framed against the Judge. The Committee placed the aforesaid communication on record, afforded opportunity to the advocates appointed under the Act to respond, and adjourned the matter to 21.04.2026.

18. On 21.04.2026, the Committee considered the response filed by the advocates appointed under the Act. The advocates appearing for the Judge sought their discharge, stating that they have been instructed not to appear further. The Committee discharged them. The Committee recorded that the withdrawal had taken place after the evidence record of the presenting side had been concluded, witnesses had been cross-examined, documents had been marked, and the matter had reached the stage of defence evidence. The Committee held that a statutory proceeding of this nature could not be entered into in stages and thereafter brought to a halt by unilateral withdrawal after substantial participation. Thereafter, the Advocates appointed under the Act were heard and the proceedings were accordingly

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concluded and it was resolved that the Report will be submitted to the Hon'ble Speaker, Lok Sabha.

19. Thereafter, by communication dated 29.04.2026, the Joint Secretary, Lok Sabha Secretariat, addressed the Secretary of the Committee stating that the Hon'ble Speaker, Lok Sabha, had desired that the Committee may complete its investigation and submit its report under Section 4(2) of the Judges (Inquiry) Act, 1968. The Committee accordingly proceeded to prepare the present Report. It is clarified at the threshold that the findings recorded herein are based only upon the material brought on record during the inquiry, including the statement of defence, additional statement of defence, oral evidence, cross-examination, exhibits, documents and electronic material marked in the proceedings.
20. This Report is arranged in a structured manner. It first records the factual background preceding the statutory inquiry, including the fire incident, administrative correspondence, response of the Judge, the In-House Procedure, constitution of the In-House Committee, findings returned by it, and steps taken thereafter. It then sets out the constitution of the present Committee under the Judges (Inquiry) Act, 1968, the statutory framework, meetings of the Committee, framing and communication of charges, procedural directions, and the course of proceedings before the Committee.
21. The Report thereafter records the hearings date-wise, the interlocutory applications filed and decided, the evidence recorded, the documents and

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electronic material marked, the opportunity afforded for cross-examination, and the stage at which the Judge withdrew from participation. The latter part of the Report deals with the appreciation of evidence issue-wise, findings on each Article of Charge.

22. This introductory narration is intended only to provide an overview of the course of events and the statutory path through which the inquiry travelled. The details of each stage, the material considered, the submissions advanced, and the findings recorded are dealt with in the relevant parts of the Report that follow.

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2 FACTUAL BACKGROUND PRECEDING THE STATUTORY INQUIRY

23. The present proceedings have their genesis in a fire incident which occurred on the intervening night of 14.03.2025 and 15.03.2025 at the official residential premises of the Judge situated at 30, Tughlaq Crescent, New Delhi. The incident was reported through a Police Control Room (PCR) call, upon which fire tenders were dispatched in the ordinary course. Upon arrival, the fire service personnel found that the fire was confined to a room situated at one corner of the premises, described in the record as a storeroom, near the portion where security personnel and servants were housed. The fire was attended to and brought under control during the night, and cooling operations were thereafter undertaken. Police personnel from the jurisdictional police station also reached the premises and remained present during the course of the firefighting operations.
24. During the process of extinguishing the fire and while locating and clearing embers within the said room, fire service personnel noticed material which appeared to be Indian currency notes in a burnt and partially burnt condition. Statements of several officials indicate that currency notes of ₹500 denomination, in varying states of burning, dampness and disintegration, were seen lying within the debris on the floor. The presence of such material was also noticed by the Delhi Police and Delhi Fire Services personnel at

the spot, who took still photographs and videos and have stated that partly and fully burnt currency notes were visible within the storeroom, including on the floor and on ledges, during and immediately after the process of extinguishing the fire.

25. The presence of burnt and partially burnt currency notes within the storeroom, as noticed by fire and police personnel acting in discharge of official duty, constituted the principal factual feature emerging from the incident. This circumstance, recorded at the threshold, distinguished the occurrence from a routine fire event and warranted further institutional attention. In the immediate aftermath, inputs were sought with respect to the occurrence, including the source of the PCR call and the factual position at the site, and the matter came to be placed before the Chief Justice of the High Court and, in due course, brought to the notice of the Chief Justice of India.
26. The Judge was not present at the premises at the time of the incident. Upon his return, the Judge interacted with the Chief Justice of the High Court and furnished an explanation regarding the incident, including the nature and use of the room and the circumstances of access to it. The explanation was considered alongside the material placed on record and the queries raised in that regard.
27. Having regard to the nature of the material noticed at the site and the circumstances in which the incident had occurred, it was considered

appropriate that the matter not be treated as concluded at the administrative stage, but be subjected to a structured fact-finding exercise in accordance with the applicable in-house procedure. It is in this backdrop that further steps came to be undertaken, ultimately leading to the constitution of a Judicial Inquiry Committee.

2.1 THE IN-HOUSE PROCEDURE, 1999: SCHEME AND STRUCTURE

28. At this stage, it is appropriate to briefly set out the In-House Procedure evolved by the Supreme Court of India, as the present matter had earlier been examined within that framework. The procedure lays down the mechanism for dealing with complaints against Judges, including the manner in which such complaints are assessed at the threshold and, where required, subjected to a fact-finding inquiry by a Committee of Judges. It is also necessary, in that context, to notice the findings recorded by the In-House Committee. These findings are not being referred to for the purpose of any determination at this stage, but to provide an account of the material and conclusions that emerged in the course of the in-house process, which, in turn, informed the consideration of the Chief Justice of India in deciding the further course in accordance with the applicable constitutional and procedural framework.
29. The Supreme Court of India, in its Full Court Meeting held on 15.12.1999, adopted the Report of the Committee on "In-House Procedure" for taking

suitable remedial action against Judges who, by acts of omission or commission, do not follow universally accepted values of judicial life. The procedure was evolved with a dual object. First, allegations against a Judge were to be examined by his peers and not by an outside agency, thereby preserving the independence of the judiciary. Secondly, the very existence of such a mechanism was intended to preserve the faith of the people in the independence and impartiality of the judicial process.

30. The In-House Procedure recognised that many complaints against Judges may arise from dissatisfaction with judicial orders or from personal grievance, and may therefore be frivolous or baseless. At the same time, it also recognised that some complaints may not be capable of being brushed aside and may require a deeper probe, especially where they cast reflection on the independence, integrity, conduct or behaviour of a Judge. The procedure, therefore, created a graded institutional mechanism for separating complaints which deserve closure from those which require further examination.
31. In the case of a Judge of a High Court, the procedure contemplated that a complaint may be received either by the Chief Justice of that High Court or directly by the Chief Justice of India. Where the Chief Justice of the High Court receives such a complaint, he is required to examine it at the threshold. If the complaint is found to be frivolous, directly related to the merits of a judicial decision, or not involving any serious complaint of misconduct or

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impropriety, it may be filed. If, however, it is found to be of a serious nature involving misconduct or impropriety, the response of the Judge concerned is required to be sought. Upon considering the allegations in the light of the response, the Chief Justice of the High Court may either close the complaint or, if he is of the opinion that the allegations need a deeper probe, forward the matter to the Chief Justice of India with his comments.

32. The procedure further provided that after considering the complaint, the response of the Judge concerned, and the comments of the Chief Justice of the High Court, the Chief Justice of India, if of the opinion that a deeper probe is required, shall constitute a three-member Committee. In the case of a High Court Judge, such Committee consists of two Chief Justices of High Courts other than the High Court to which the Judge belongs and one High Court Judge. The inquiry by such Committee is expressly described as a fact-finding inquiry. It is not a formal judicial inquiry involving examination and cross-examination of witnesses or representation by lawyers. The Committee is, however, required to devise its own procedure consistent with the principles of natural justice.
33. After such inquiry, the Committee may report to the Chief Justice of India that there is no substance in the allegations; or that there is substance in the allegations and the misconduct disclosed is so serious that it calls for initiation of proceedings for removal of the Judge; or that there is substance in the allegations, but the misconduct disclosed is not of such serious nature

as to call for initiation of removal proceedings. The amended paragraph 5 also contemplates that a copy of the report shall be furnished to the Judge concerned by the Committee.

2.2 CONSTITUTION OF THE THREE-MEMBER COMMITTEE UNDER THE IN-HOUSE PROCEDURE

34. On 22.03.2025, the Chief Justice of India, Justice Sanjiv Khanna, as he then was, decided to formulate and constitute a three member In House Inquiry Committee (hereinafter referred to as "IHC").
35. The Supreme Court of India on 22.03.2025, made a press release, wherein it was informed that the Chief Justice of India had constituted a three-member Committee consisting of the three Judges, along with this press release certain communications were made available on public domain. They are as follows: -
 1. Report dated 21st March, 2025 of Chief Justice of Delhi High Court.
 2. Report dated March 22, 2025 of Chief Justice of Delhi High Court
 3. A set of three photographs.
36. Thereafter, as per due procedure various mobile phones of all the staff of Delhi Police as well as the Delhi Fire Service who were present on that fateful night were taken into custody by the Commissioner of Police and

they were sealed and forwarded to the Registrar of Supreme Court as was directed by the CJI.

37. On 28.03.2025 a press release made by the Supreme Court stated that no judicial work would be assigned to Justice Varma.

2.3 SUBMISSION OF THE REPORT BY THE IN-HOUSE COMMITTEE

38. On 04.05.2025, the three-member Committee which was constituted by the CJI submitted its report to the CJI. This report was also served on to the Judge.
39. It is in that limited but important sense that the In-House Committee's report formed the immediate institutional background to the subsequent constitutional process. The matter had moved beyond the stage of mere complaint or suspicion. It had been subjected to an internal fact-finding inquiry by a Committee of Judges under the In-House Procedure, and the findings so recorded supplied the factual foundation for the matter being considered further under the constitutional scheme relating to allegations of misbehaviour against a Judge of a constitutional court.

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2.4 SUBSEQUENT EVENTS TO FINDINGS OF IN-HOUSE COMMITTEE

40. Thereafter, the Judge filed Writ Petition (Civil) No. 699 of 2025 before the Supreme Court, challenging paragraphs 5(b) and 7 of the In-House Committee procedure, the forwarding of IHC Report by the Chief Justice of India, and the IHC Report itself. The said writ petition came to be dismissed on 07.08.2025. The Supreme Court, while dismissing the writ petition, declined interference, observing that the nature of the inquiry and the procedure governing it stood within the framework contemplated by the Judges (Inquiry) Act, 1968. The Committee has taken note of the observations made by the Hon'ble Supreme Court and has proceeded accordingly.

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3 CONSTITUTION OF THE JUDGES (INQUIRY) COMMITTEE AND FRAMEWORK UNDER THE JUDGES (INQUIRY) ACT, 1968

41. During the Monsoon Session of the Parliament had commenced, Members of both Houses desirous of initiating proceedings for removal of the Judge from the Office submitted two notices of Motion on the same day i.e., 21.07.2025.
42. The notice for removal of the Judge dated 21.07.2025 was received by the Speaker of the Lok Sabha, and on 12.08.2025 the Speaker of the Lok Sabha proceeded to admit the notice in the House and in accordance with Section 3(2) of the Act of 1968 constituted a Three Member Committee.
43. Vide communication dated 19.08.2025, the Secretary General of the Lok Sabha, Shri Utpal Kumar Singh communicated the constitution of the Committee which was published in the Gazette of India on 12.08.2025, wherein the Speaker of the Lok Sabha had constituted for the purpose of making an investigation into the grounds of which the removal of Justice Yashwant Varma was prayed for and constituted the Committee. In the said communication dated 19.08.2025, the Secretary General of Lok Sabha communicated that the Motion which was admitted contained certain details which were placed in the public domain by the Supreme Court of India concerning the discovery of unexplained cash due to the fire at the Judge's

residence which was under his active control and possession since he was then the Judge of Delhi High Court.

44. At this juncture, it would be incomplete for the Report to proceed without a brief but considered exposition of the statutory framework governing such inquiries, as embodied in the Judges (Inquiry) Act, 1968 and the Judges (Inquiry) Rules, 1969. The scheme of the enactment discloses a carefully structured yet deliberately flexible mechanism for the investigation of allegations of misbehaviour or incapacity against a Judge, wherein Parliament has, while prescribing the broad contours of the process, consciously refrained from over-regulation of the manner of inquiry.
45. The Act contemplates the constitution of an Inquiry Committee upon admission of a motion, the framing of definite charges, and the conduct of an investigation culminating in findings on each charge.
46. At the same time, it vests the Committee with powers akin to those of a civil court for summoning witnesses, receiving evidence, and compelling production of documents, thereby ensuring that the inquiry is both effective and legally robust.
47. Significantly, both the Act and the Rules recognise that such an inquiry cannot be straitjacketed into a rigid procedural form. The evidence of witnesses is to be recorded under the personal direction and superintendence of the Presiding Officer, and while principles of civil procedure are made

applicable “so far as may be”, the Committee is otherwise enabled to regulate its proceedings in a manner suited to the nature of the case.

48. The position of the Presiding Officer, in this framework, is of central significance. He does not function as a mere coordinator of proceedings, but as the institutional pivot entrusted with ensuring that the inquiry is conducted with fairness, order and fidelity to purpose. The preparation and authentication of the report, the supervision of recording of evidence, and the overall conduct of proceedings are placed within his domain, reflecting a conscious legislative choice to repose a high degree of confidence in the office.
49. The framework thus balances structure with discretion: it prescribes what must be done, but leaves to the Committee, acting through its Presiding Officer, how it is to be done. This calibrated autonomy is not incidental, but integral to the scheme, recognising that an inquiry into the conduct of a Judge must combine procedural fairness with institutional sensitivity, and cannot be reduced to a mechanical or inflexible process.

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4 COMMENCEMENT OF MEETINGS OF THE COMMITTEE

50. During the course of the inquiry, the Committee convened meetings at successive stages for the purpose of organising its proceedings, securing and examining the material placed before it, addressing communications received from the Judge, and issuing such directions as were considered necessary for the orderly conduct of the inquiry. The record of these meetings indicates that the proceedings were regulated with due regard to the statutory framework governing the inquiry, the requirements of fairness, and the necessity of affording reasonable opportunity at every stage to the Judge concerned. Requests made on behalf of the Judge were duly considered and addressed, and the proceedings were carried forward in a manner consistent with both procedural propriety and expedition.
51. While the details of these proceedings are set out in the subsequent parts of this Report, a tabular representation of the meetings convened is provided hereinbelow to furnish a broad overview of the progression of the inquiry and the stages through which it has advanced.

Date	Meeting	Proceedings and Decisions
17.09.2025	First Meeting	The Committee, upon its constitution, convened its first sitting. The Presiding Officer apprised the Members of the steps undertaken for establishing the functional framework of the Committee, including arrangements for accommodation, appointment of the Secretary, staff, and engagement of assisting counsel. The Committee deliberated upon securing relevant records and materials necessary for the inquiry.

Date	Meeting	Proceedings and Decisions
15.10.2025	Second Meeting	The Committee noted the appointment of Smt. Aishwarya Bhati, Additional Solicitor General of India, in terms of Section 3(9) of the Act. Directions were issued to the Secretary to coordinate with the Registry of the Supreme Court of India for securing all relevant records, including material considered by the In-House Committee.
23.11.2025	Third Meeting	The Committee undertook examination of the material received, including electronic records. The presence of a CFSL expert was secured to facilitate safe access and handling of digital evidence. Directions were issued for preservation and controlled duplication of relevant data. Upon scrutiny of the material, the Committee resolved to frame Articles of Charge and directed issuance of notice in Form I along with the statement of grounds and supporting material.
05.12.2025	Fourth Meeting	The Committee considered the communication dated 04.12.2025 received from the Judge. The contents thereof were deliberated upon and an appropriate response was finalised and directed to be communicated.
12.01.2026	Fifth Meeting	The Committee considered further communication from the Judge alleging non-supply of certain material. In the absence of specific particulars, the Committee found the request to be incapable of precise compliance and resolved to intimate the position accordingly.
19.01.2026	Sixth Meeting	The Committee took on record the order dated 16.01.2026 passed by the Supreme Court. The statement of defence submitted by the Judge was also placed on record. Upon deliberation, the Committee resolved to proceed with the inquiry and formulated the procedure for conduct of proceedings, including provisions relating to in-camera hearings, filing of affidavits, opportunity for cross-examination, and hearing of submissions.
28.01.2026	Seventh Meeting	The Committee noted the inspection of records undertaken on behalf of the Judge. Further opportunity for inspection was permitted in order to obviate any procedural grievance. Interlocutory applications were directed to be taken up for consideration in accordance with law.
12.02.2026	Eighth Meeting	The Committee reviewed the progress of proceedings and noted the statutory timeline. In view of the stage of the inquiry, a decision was taken to seek extension of time for submission of the report.
06.03.2026	Ninth Meeting	The Committee noted the change in its composition upon appointment of a new Member. Directions were issued for furnishing the complete record of proceedings to the newly inducted Member to ensure continuity of the inquiry.

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52. The Committee held meetings and proceedings from time to time for securing the record, examining the material received, framing and communicating the Articles of Charge, considering the responses and applications filed by the Judge, regulating the procedure of inquiry, recording evidence, permitting cross-examination, marking exhibits, and concluding the proceedings. A detailed chronological account of the said meetings and proceedings is appended to this Report as **Annexure A**.
53. The said Annexure forms part of the record of the Report and sets out, in date-wise sequence, the procedural course of the inquiry from the first meeting of the Committee to the conclusion of proceedings. It is appended for completeness and for providing an integrated account of the steps taken by the Committee in the conduct of the statutory inquiry.
54. The main body of this Report, therefore, proceeds to deal with the substantive aspects of the matter, namely the material on record, appreciation of evidence, findings on the Articles of Charge, and the question whether the proved conduct constitutes misbehaviour within the meaning of the constitutional and statutory scheme.

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5 CLOSURE OF EVIDENCE BY PRESENTING SIDE

55. Upon completion of the evidence of the witnesses examined on that date, Smt. Aishwarya Bhati and Shri Raja Thakare submitted that no further witnesses would be examined on behalf of the presenting side, and that the evidence of the presenting side stood closed.
56. The Committee recorded the said submission. The closure of evidence by the presenting side marked the culmination of the phase of recording of evidence in support of the Articles of Charge.

6 DIRECTIONS REGARDING DEFENCE EVIDENCE

57. The Committee thereafter adverted to the next stage of the proceedings, namely the evidence proposed to be led by the Judge in his defence.
58. In continuation of its earlier directions dated 15.03.2026, the Committee directed that the Judge shall furnish the list of witnesses proposed to be examined.
59. At this stage, Shri Siddharth Aggarwal, learned Senior Counsel appearing for the Judge, sought extension of time for furnishing the list of witnesses beyond the earlier date fixed.

60. The Committee, having regard to the request made, extended the time for furnishing the list of witnesses and affidavits in lieu of examination-in-chief, if any, up to 06.04.2026, with copies to be served upon the other side.
61. The Committee recorded that, with the conclusion of evidence on behalf of the presenting side, the inquiry had reached a decisive stage. The evidentiary record in support of the Articles of Charge had been substantially laid, and the proceedings were to now move into the stage of defence evidence.
62. The Committee ensured that adequate opportunity was afforded to the Judge to present his defence, while maintaining procedural discipline by fixing a clear and reasonable timeline for the next steps in the inquiry.
63. The matter was thereafter adjourned to 10.04.2026 for further proceedings.

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7 PROCEEDINGS DATED 10.04.2026 – NON-COMPLIANCE WITH DIRECTION TO FILE DEFENCE WITNESSES; COMMUNICATION DATED 09.04.2026 BY THE JUDGE; ADJOURNMENT FOR CONSIDERATION

64. The Committee convened on 10.04.2026 pursuant to the adjournment granted on 17.03.2026. The proceedings were fixed for further steps in the inquiry, particularly in light of the directions earlier issued requiring the learned counsel appearing for the Judge to furnish, on or before 06.04.2026, the list of witnesses proposed to be examined along with affidavits in lieu of examination-in-chief, if any.
65. At the outset, the Committee adverted to its earlier directions, including those contained in the proceedings dated 15.03.2026 and 17.03.2026, whereby time had been granted and thereafter extended for filing of the list of witnesses and supporting affidavits. For clarity of record, the Committee extracted the relevant portion of the proceedings dated 17.03.2026, which recorded the enlargement of time up to 06.04.2026 and the requirement of service of copies upon the opposite party.
66. The Committee recorded that no communication, filing or information had been received from the Judge or the learned advocates appearing on his behalf, in compliance with the said direction, till 09.04.2026.
67. The Committee noted that the direction to file the list of witnesses and affidavits was not merely procedural but was integral to the orderly

progression of the inquiry, particularly after the closure of evidence on behalf of the presenting side. The absence of any response or compliance within the stipulated time was, therefore, a matter requiring notice and recording.

7.1 COMMUNICATION DATED 09.04.2026 FROM THE JUDGE

68. The Secretary to the Committee apprised the Committee of a communication dated 09.04.2026, received through email from Hon'ble Justice Yashwant Varma. It was further noted that the hard copy of the said communication had also been received and placed before the Committee on the date of hearing.
69. The Committee recorded that, in the said communication, the Judge had, *inter alia*, stated that he had addressed a parallel communication to the Hon'ble President of India, and had also addressed a communication of the same date to the Hon'ble Chief Justice of India.
70. Learned counsel appearing for the Judge tendered before the Committee copies of the letter dated 09.04.2026 addressed to the Hon'ble President of India, and the communication of even date addressed to the Hon'ble Chief Justice of India.
71. The Committee directed that the said communications be taken on record, without expressing any view at that stage on the contents thereof.

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72. The Committee further recorded that the communication dated 09.04.2026 addressed by the Judge to the Committee had been made available by the office of the Committee to the learned senior counsel appointed under the Act.
73. The learned senior counsel appointed under the Act submitted that they would require time to respond to the contents of the said communication.
74. Learned counsel appearing for the Judge submitted that he had already received the copy of the said communication.
75. The Committee took note of the said submissions and considered it appropriate that an opportunity be afforded to the learned counsel appointed under the Act to respond to the said communication, having regard to the nature and content thereof.
76. The Committee recorded that the communication dated 09.04.2026, addressed by the Judge to the Committee, as well as the parallel communications addressed to constitutional authorities, introduced a development which required careful consideration within the framework of the statutory inquiry.
77. At the same time, the Committee clarified that the mere receipt of such communication would not, *ipso facto*, alter the course of the proceedings, nor would it be appropriate at that stage to either accept or reject the contents thereof without affording due opportunity to the parties to address the same.

78. The Committee thus adopted a course of measured restraint, by placing the communication on record, permitting response thereto, and deferring any consideration on merits to a subsequent stage.
79. Having regard to the above, and without expressing any opinion on the contents of the communication dated 09.04.2026, the Committee adjourned the proceedings to 21.04.2026 at 04:30 p.m. for further consideration.

8 PROCEEDINGS DATED 21.04.2026: RESPONSE TO COMMUNICATION DATED 09.04.2026, DISCHARGE OF ADVOCATES APPEARING FOR THE JUDGE, AND CONCLUSION OF PROCEEDINGS

80. Pursuant to the adjournment granted on 10.04.2026, the Committee convened on 21.04.2026 for consideration of the communication dated 09.04.2026 addressed by Justice Yashwant Varma to this Committee, and the response thereto filed by the learned Advocates appointed under the Judges (Inquiry) Act, 1968.
81. At the outset, the Committee took on record the response filed by the learned Advocates appointed under the Act to the communication dated 09.04.2026. The said response dealt with the allegations made in the communication, including the allegations touching upon procedural unfairness, alleged improper use of In-House Committee material, alleged reversal of burden of



proof, non-examination of certain witnesses, non-availability of CCTV footage, and the alleged passivity of the Committee.

82. Shri Siddharth Agarwal, learned Senior Advocate, who had been representing Justice Yashwant Varma along with Shri Sidharth Luthra, learned Senior Advocate, appeared and submitted, on instructions received from the learned Advocates who had filed vakalatnama on behalf of the Judge, namely Smt. Stuti Gujral, Shri Gautam Khazanchi, Shri Faraz Maqbool, Smt. Sowjhanya Shankaran, Shri Abhinav Sekhri and Shri Vishwajeet Singh, that they had been instructed not to appear further in the proceedings. The said submission was made in the backdrop of the communication dated 09.04.2026 addressed by the Judge to the Committee and the resignation stated to have been submitted by him. The learned Advocates who had appeared on the previous date also appeared on 21.04.2026 and sought discharge from the proceedings. Placing the said submission on record, the Committee discharged the Advocates appearing for Justice Yashwant Varma.
83. The Committee thereafter adverted to the proceedings dated 10.04.2026. It was noticed that on the said date, the Committee had for the first time been apprised of the communication dated 09.04.2026 addressed by the Judge, purporting to withdraw from further participation in the inquiry. It was also noticed that the learned Advocates appearing for the Judge had tendered copies of the communication of even date addressed by the Judge to the

Hon'ble President of India and the communication addressed to the Hon'ble Chief Justice of India, since copies of the said communications had not accompanied the communication addressed to the Committee.

84. Upon perusal of the communication dated 09.04.2026 and the response filed by the learned Advocates appointed under the Act, the Committee considered it necessary to record the position in a measured manner. Ordinarily, a Committee constituted under the Judges (Inquiry) Act, 1968 would be slow to enter into a discursive response to communications emanating from parties to the inquiry. Institutional restraint is not merely a matter of form. It is a discipline inherent in proceedings of constitutional consequence. Such bodies speak through proceedings, orders and final reports, not through competing narratives.
85. Yet, the Committee was also conscious that silence, in a given case, may permit a partial account to assume the character of the whole. The communication dated 09.04.2026, in the manner in which it was framed, was capable of conveying that the inquiry had proceeded in a manner marked by procedural unfairness, predisposition, truncation of remedy and institutional indifference. Since such an impression was not borne out by the record of proceedings, the Committee considered it necessary to place the correct procedural position on record.
86. The Committee recorded that the withdrawal from the proceedings at that stage, for the reasons assigned in the communication dated 09.04.2026, was

contrary to the record. This was not a case where the proceedings had remained dormant, uncertain or episodic. On the contrary, the inquiry had remained in continuous motion. Procedural directions had been framed and communicated; interlocutory applications had been entertained and decided; production of documents, inspection and procedural accommodations had been facilitated wherever considered appropriate; witnesses had been examined and cross-examined; and documents had been marked.

87. The Committee further noted that the original statutory period having run its course, extension had been sought from the Hon'ble Speaker, Lok Sabha, so that the inquiry already underway could proceed further in accordance with law. It was therefore in the midst of a live and advancing statutory process, and not at a preliminary or uncertain stage, that the communication dated 09.04.2026 came to be received.
88. The record also showed that Form I notice, containing the Articles of Charge and the statement of grounds, had been served on the Judge on 27.11.2025. Upon his request for time, extension was granted up to 12.01.2026. The procedure to be adopted by the Committee was considered in its meetings dated 05.12.2025 and 19.01.2026 and was duly communicated. The statement of defence filed by the Judge was placed on record and considered. Upon such consideration, the Committee resolved to proceed with recording of evidence. Inspection of relied upon documents was also permitted and conducted by authorised advocates of the Judge on various dates.

89. The proceedings had thereafter moved to evidence. On 24.01.2026, the learned Advocates appointed under the Act stated that affidavits in lieu of examination-in-chief of witnesses had been filed and that the witnesses were present for tendering evidence. The hearing on the charges and recording of evidence accordingly commenced, and documents came to be marked as exhibits.
90. During the inquiry, eleven interlocutory applications were filed on behalf of the Judge. They were entertained and adjudicated by the Committee. In particular, I.A. No. 8, seeking summoning of various official records, was allowed in part and kept alive for further consideration. Pursuant to the orders passed thereon, records from Delhi Police, CRPF, Police Station Tughlaq Road and Fire Station Safdarjung were produced, inspected by the Advocates of the Judge, copies of relevant portions were furnished, and the records were marked in evidence.
91. The Committee also noticed that, during the evidentiary hearing, evidence of nine witnesses came to be recorded under the personal direction and superintendence of the Presiding Officer. The said witnesses were fully cross-examined by the learned Senior Advocates appearing on behalf of the Judge. Thereafter, the learned Advocates appointed under the Act concluded the production of witnesses and documents. A memo was filed on 17.03.2026 stating that certain witnesses would not be examined. The said

course was not objected to on behalf of the Judge, nor was any request made to examine such witnesses on behalf of the defence.

92. The Committee had, by its proceedings dated 15.03.2026 and 17.03.2026, directed the Judge to furnish the list of witnesses proposed to be examined by him. At the request of the learned Senior Counsel appearing for the Judge, time was enlarged up to 06.04.2026 for filing the list of witnesses and affidavits in lieu of examination-in-chief. No such list or affidavits were furnished within the extended time. Instead, the communication dated 09.04.2026 was received, whereby the Judge purported to withdraw from further participation in the inquiry.
93. The response filed by the learned Advocates appointed under the Act specifically submitted that the allegation of improper reliance on In-House Committee material was factually incorrect, since the earlier statements were not imported wholesale or treated as substantive evidence as received. It was stated that only those witnesses who deposed afresh before the Committee had their prior In-House statements put to them, and only upon identification and affirmation by such witnesses were such statements exhibited.
94. The response also disputed the allegation of reversal of burden. It was submitted that evidence had been led in substantiation of the charges; that nine witnesses had been examined; that 221 exhibits, from C-1 to C-5 and P-1 to P-128, had been marked; and that the witnesses had been subjected to

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lengthy and detailed cross-examination over several days. It was further submitted that once evidence sufficient to establish a prima facie case had been led, calling upon the Judge to lead defence evidence was not reversal of burden but the ordinary operation of evidentiary principle in adjudicatory proceedings.

95. The response further stated that if the Judge desired the examination of any witness who had not been examined by the learned Advocates appointed under the Act, it was open to him to move an application before the Committee. No such application was moved. It was also submitted that the Judge himself chose not to lead defence evidence, examine witnesses, or seek summoning of any witness in support of his defence, but withdrew at the stage when defence evidence was to commence.
96. The Committee did not consider it necessary to enter into every argumentative assertion made either in the communication dated 09.04.2026 or in the response filed thereto. The proceedings themselves furnish the answer. The record shows that opportunity was granted, documents were supplied, inspection was permitted, applications were heard and decided, official records were summoned where warranted, witnesses were produced, and cross-examination was fully afforded. Fairness was not a matter of profession alone; it was reflected in the conduct of the inquiry.
97. At the same time, the Committee considered it necessary to record that a statutory proceeding cannot be entered into in stages and judged in

fragments. There comes a point in every adjudicatory process where participation ceases to be tentative and becomes integral to the unfolding of the inquiry. To disengage at such a stage, after invoking the process, testing it through applications and cross-examination, and thereafter characterising that very process as fundamentally infirm, presented a dissonance which the Committee could not ignore.

98. The Committee, having taken the response of the learned Advocates appointed under the Act on record and having discharged the Advocates appearing for the Judge, heard the learned Advocates appointed under the Act. It thereafter recorded that the proceedings before the Committee stood concluded and that the Report to be submitted to the Hon'ble Speaker, Lok Sabha, would follow.

8.1 SUBSEQUENT COMMUNICATION AND COMPLETION OF REPORT

99. The Committee considers it appropriate to notice, in the limited context of the future course of the inquiry, that the communication dated 09.04.2026 and the withdrawal of participation by the Judge could not, by themselves, bring the statutory inquiry to an end. This was not a case where the inquiry had not commenced, or where the Judge had not been heard, or where the material had remained untested. The Articles of Charge had been framed and served; the statement of defence and additional statement of defence had

been received; relied upon material had been supplied and inspection afforded; interlocutory applications had been filed, heard and decided; nine witnesses on behalf of the presenting side had been examined; documents and electronic material had been marked; and the witnesses had been subjected to cross-examination on behalf of the Judge. The proceedings had, therefore, crossed the stage of mere procedural arrangement and had entered, and substantially completed, the evidentiary stage.

100. A statutory inquiry of this nature cannot be made to depend upon unilateral withdrawal after the evidentiary record has substantially come on record. The Act and the Rules contemplate that reasonable opportunity must be afforded to the Judge to cross-examine witnesses, adduce evidence and be heard in defence. That opportunity has been afforded. The statutory scheme also recognises that, upon proof of service and opportunity, the inquiry may proceed even in the absence of the Judge. The present case, however, does not rest merely on absence. It is a case where the Judge had participated through learned advocates, contested the procedure, cross-examined the witnesses, inspected the records, and reached the stage where he was required to establish his defence. At such a stage, withdrawal from participation could not disband the inquiry or efface the evidence already available.
101. Thereafter, vide communication dated 29.04.2026, the Joint Secretary, Lok Sabha Secretariat, addressed the Secretary of the Committee stating that the

Hon'ble Speaker, Lok Sabha, had desired that the Judges (Inquiry) Committee may complete its investigation and submit its report as per Section 4(2) of the Judges (Inquiry) Act, 1968. The Committee accordingly proceeded to prepare the present Report on the basis of available material. It is clarified that the findings recorded herein are founded only upon the material already taken on record in the course of the inquiry, including the statement of defence, additional statement of defence, oral evidence, cross-examination, exhibits, documents and electronic evidence marked during the proceedings.

9 APPROACH TO APPRECIATION OF EVIDENCE

102. The Committee now proceeds to examine the evidence placed before it. The preceding parts of this Report have recorded the factual background, the constitution of the Committee, the meetings convened, the interlocutory applications filed, considered and adjudicated, the course of proceedings, the recording of evidence, the closure of evidence by the presenting side, and the subsequent communication dated 09.04.2026 placed before the Committee during the proceedings held on 10.04.2026.

103. What now falls for consideration is whether the material on record establishes the Articles of Charge framed against the Judge. The inquiry is one under the Judges (Inquiry) Act, 1968. It is not a criminal trial. It is also not a civil lis between contesting private parties. The function of the Committee is to investigate the charges and return findings thereon. The inquiry is statutory in source, judicial in method, and constitutional in consequence.

104. The record before the Committee consists of oral depositions, affidavits filed in lieu of examination-in-chief, cross-examination of witnesses, previous statements recorded during the In-House proceedings, documentary correspondence, CFSL reports, electronic records, videos, photographs, occurrence books, general diary entries, duty registers, call detail records and site photographs/maps. The index of exhibits records the material

from C-1 to C-5 and P-1 to P-128, including the witness affidavits, previous statements, videos & still images, registers and site photographs.

105. The Committee considers it appropriate to appreciate the evidence issue-wise rather than witness-wise. The Articles of Charge arise from one connected chain of events: the fire incident; the discovery of Indian currency notes; the location and character of the storeroom; the handling of the scene of fire thereafter; the explanation offered by the Judge; and the subsequent non-availability of the Indian currency notes said to have been seen by several official witnesses. These matters cannot be fairly assessed in isolation.

106. The Committee will therefore first examine the primary factual issues emerging from the record. It will then consider the explanations and defences advanced by the Judge in relation to those issues. Thereafter, the Committee will record its findings on each Article of Charge separately.

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10 APPRECIATION OF EVIDENCE

107. The appreciation of evidence in the present matter must commence with the physical and factual setting in which the incident occurred. The fire did not occur in an open public place or at an unidentified location. It occurred in a room situated within the premises of the official residence allotted to the Judge, namely at 30, Tughlaq Crescent, New Delhi. The precise character of that room, its location, its access, and its relation to the occupied premises form the first factual layer of the case.

108. The second layer concerns the incident of fire and the arrival of first responders. The third concerns what the fire and police personnel stated they saw while the fire was being doused and during the cooling operation. The fourth concerns what happened thereafter, including the absence of seizure, the non-preservation of the site and the material, and the later condition of the site. The fifth concerns the explanation of the Judge and whether it satisfactorily answers the facts found established or probalises the defence of the Judge.

10.1 THE ROOM AND ITS LOCATION WITHIN THE OFFICIAL PREMISES

109. The Judge's earliest explanation dated 22.03.2025 (which came to be marked as **Exhibit P-3** before this Committee) was that the room was used

for storing unused furniture, bottles, crockery, mattresses, used carpets, old speakers, garden implements and CPWD material. He stated that the room remained unlocked, was accessible from the front gate as well as the back gate of the staff quarters, was disconnected from the main residence, and was not a room in his house. He further stated that none would keep cash in an open and freely accessible storeroom near the staff quarters or outhouse.

110. This defence has two distinct limbs. The first is one of physical separation, namely that the room was not part of the living area of the residence. The second is one of access, namely that it was not under the exclusive physical custody of the Judge and could be accessed by staff, CPWD personnel and others.

111. The Committee considers it proper to acknowledge at the outset that the storeroom was not a bedroom, drawing room or inside the building. The material on record indicates that it was used for storing articles and was situated in a portion of the premises which was proximate to the staff/security area. This can be accepted without difficulty.

112. The question, however, is not whether the storeroom formed part of the intimate living quarters of the Judge. The question is whether it formed part of the official residential premises allotted to and occupied by him at 30, Tughlaq Crescent, New Delhi. The answer to that question, on the record, admits of no real doubt. 

- 113.** The distinction between exclusive physical possession and effective control is material. A room within an official residence may be accessed by staff, servants, maintenance personnel or security personnel for limited purposes. Such access does not, by itself, convert the room into an unregulated public space nor result in arriving at a conclusion that it was not in effective control of the Judge. Nor does it sever the room from the premises under occupation of the constitutional functionary to whom the residence is allotted.
- 114.** The Judge's own defence recognises that the room was part of the residential establishment, albeit outside the main living area. It was not suggested that the room belonged to some third party; that it was excluded from the allotted premises; or, that it was under the control of an independent authority. The plea was that many persons could access it. That plea may bear upon the question of exclusive custody, but it does not displace the fact that the storeroom was situated within the official premises occupied by the Judge and was in his possession and effective control.
- 115.** The list of exhibits marked also records site photographs marked as **P-122 to P-128**, including the photograph of the entrance of the Judge's bungalow, guard room, back gate entrance, storeroom, garage, CCTV cameras mounted on the building opposite the storeroom, and other site features. These exhibits are relevant to understanding the physical layout and the relation of the storeroom to the official premises.

116. Thus, at this stage of appreciation, the Committee records the following. The storeroom may have been physically separate from the main residential quarters. It may have been used for storage for unused material. It may have been accessible to staff for limited purposes. These circumstances by itself do not suggest it being separate from the residential premises. Nor do they negate institutional or effective control over the premises as a whole by the Judge. The site map reflecting the topography of the entire premise / site including the storeroom came to be marked as **Exhibit P-2A**.

117. The defence of shared access will be considered further when the Committee examines the plea of absence, lack of knowledge, conspiracy and planting. For the present, it is sufficient to record that the storeroom was located within the official residential premises at 30, Tughlaq Crescent, New Delhi, and not outside them.

10.2 THE FIRE INCIDENT AND ARRIVAL OF FIRST RESPONDERS

118. The incident itself occurred on the night intervening 14.03.2025 and 15.03.2025.

119. The fact that the Judge was not physically present at the premises when the fire broke out is not in dispute. His earliest response (**Exhibit P-3**) itself states that he and his wife were not in Delhi, that his daughter and aged mother were at home, and that the fire service was alerted by his daughter and Private Secretary.

120. The evidence of PW-2, Shri Ankit Schwag, Fire Operator, gives the first structured account of the fire response. In his earlier statement recorded before the In-House Committee, which came to be reiterated before this Committee and marked as **Exhibit P-82**, he has deposed that he was deputed in BFT-10, that two fire brigade vehicles left Safdarjung Fire Station, that WB-22 went inside Bungalow No. 30, Tughlaq Crescent and doused the fire, while BFT-10 stood outside the gate, and that he along with Navneet Kharab went inside the campus and helped the personnel of WB-22 in dousing the fire.

121. In his cross-examination before this Committee, PW-2 explained the working of the Safdarjung Fire Station, receipt of calls through control room or direct landline, the dispatch of fire vehicles, the role of the senior-most officer at the spot, and the rotation duty of fire personnel. He also identified the occurrence book maintained at Safdarjung Fire Station, which came to be marked as **Exhibit P-107**, and identified the entries relating to the incident as **P-107(a), P-107(b), P-107(c) and P-107(d)**.

122. The evidence therefore establishes that the first response was not casual or private. It was an official fire response involving fire tenders from Safdarjung Fire Station, followed by presence of police personnel and security personnel. The storeroom was entered or approached by fire personnel in the course of dousing and cooling operations. The police

personnel who also reached the premises observed the scene during or immediately after the fire-fighting operation.

123. PW-5, Shri Pravindra Malik, Fire Operator, has deposed that on receiving a call from the control room regarding fire at 30, Tughlaq Crescent, he proceeded in WB-22 along with Pradeep Kumar, Prakash Chand Meena and STO (Station House Officer) Manoj Mehlawat. He has also deposed that upon reaching the bungalow it took some time for the vehicle to enter due to the narrow passage, that all four fire personnel got down, that he took lead in the operation, that flames were intense near the storeroom door, and it took around 25 to 30 minutes to control the fire, followed by a cooling process of about 20 minutes.

124. The evidence of PW-6, Shri Sunil Kumar, Head Constable, PCR, also places the police response at the site. He has deposed that on the night intervening 14.03.2025 and 15.03.2025, while on duty with PCR Van V-41, he had received a message regarding fire at Bungalow No.30, Tughlaq Crescent, reached the spot around 11:45 p.m., went inside the premises, was guided by CRPF personnel towards the rear side, and saw firefighting operations underway.

125. PW-8, Shri Umesh Malik, SHO, Police Station Tughlaq Road, has deposed that he received information from the control room regarding fire at Bungalow No. 30, Tughlaq Crescent and as such proceeded to the spot, found fire tenders already present, noticed fire service personnel, Delhi

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Police staff, CRPF personnel, household staff, a lady and Shri Rajinder Karki, Private Secretary to the Judge, and that firefighting was actively underway.

126. From the above evidence, the broad sequence of the fire incident stands established. A fire occurred in the storeroom within the official premises. Fire service personnel reached and undertook dousing and cooling operations. Police personnel reached during or around the said operation. CRPF/security personnel and members of the household/staff establishment were present at or around the premises. It would be apposite to take note of the suggestion made to PW-5 in his cross examination to the effect, the fire officials were at the Judge's bungalow for about one and half hour after completion of the work (dousing of the fire), clearly establishes the occurrence of fire in the storeroom. The Judge himself was not physically present at that time.

127. These facts are foundational. They establish the circumstances in which the next and more material issue arises, namely what was seen inside the storeroom during and immediately after the dousing of the fire.

10.3 PRESENCE OF CURRENCY IN THE STOREROOM

128. The principal factual issue is whether substantial Indian currency notes was found in the storeroom during or immediately after the dousing of the fire. On this issue, the Committee has considered the evidence of fire service

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personnel and police personnel, the previous statements of witnesses identified by them, the evidence tendered before this Committee, and the electronic evidence placed on record apart from documentary evidence.

129. The evidence on this issue is not dependent upon one witness alone. It emerges from a cluster of witnesses belonging to different official departments, namely Delhi Fire Service and Delhi Police. Their positions at the site were not identical, nor were their descriptions word-for-word identical. That is natural. The question is whether, on the essential fact, their testimony converges.

130. PW-2, Shri Ankit Sehwal, in his deposition before this Committee, identified the contents of the pen drive which came to be marked as **Exhibit P-26A**, namely identified the place visited by him on the date of the fire incident, and also identified videos shown to him, including VID_20250315_000141.mp4, VID_20250315_000028.mp4 and VID_20250315_000048.mp4, which came to be marked as **Exhibits P-83, P-84 and P-85** respectively. He identified the voice of PW-3/STO Manoj Mehlawat in the videos and stated that during the dousing of fire operation he saw bundles of ₹500 notes spread over an area of 7 to 8 feet from the entrance door. He also identified still images found in **Ex. P-26A** which came to be marked as **Exhibits P-86, P-87 and P-88**, deposing that heap of money was visible in these photographs.

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131. PW-2's earlier statement recorded before the In-House Committee, marked as **Exhibit P-82**, is consistent on the material point. He has deposed that on being informed by Pradeep Kumar and Pravindra Malik (P.W.5) that currency notes had caught fire inside the storeroom, he had personally gone inside the storeroom and checked with the help of a torch and found a large number of ₹500 denomination currency notes, half burnt, wet due to water spray and burnt by fire.
132. In cross-examination, PW-2 was questioned on timings, fire station procedure, the occurrence book and the absence of reporting by him to higher authorities. He admitted that as a junior official he had no role in writings made in the occurrence book after the incident and that he did not file any report regarding cash as it was not his duty. Suggestions were put to him that the fire officials had overstayed and had taken away money found at the place of fire. He denied those suggestions.
133. PW-3, Shri Manoj Kumar Mehlawat, Station Officer, Delhi Fire Service, had filed his affidavits in lieu of examination-in-chief which were marked as **Exhibits P-95 and P-96**, and his previous statement before the In-House Committee as **Exhibit P-97**. He identified his mobile phone and the certificate issued by him under Section 63 of the Bharatiya Sakshya Adhiniyam, 2023, which was marked as **Exhibit P-17B** for purposes of identification. Upon being shown **Exhibit P-83** viz. the video, he deposed that the video was recorded on 14/15.03.2025 at the place of incident at

Bungalow No. 30, Tughlaq Crescent, and that the voice saying "*Mahatma Gandhi Mein Aag Lag Rahi Hai Bhai*" was his voice. He identified the person doing the work of dousing the fire found in the video as Pradeep Kumar, Fire Operator.

134. The previous In-House material relating to Manoj Mehlawat records that he was told by Prakash Chand Meena that currency notes in the room had caught fire and that he also saw ₹500 denomination currency notes at the site, singed by fire and had turned wet in the process of dousing. He further deposed that embers were still burning on the shelf and Pradeep Kumar was instructed to pull down debris to reduce the heat.

135. PW-4, Shri Bhanwar Singh, Fire Operator-cum-Driver, filed his affidavit in lieu of examination-in-chief as **Exhibit P-99** and identified his previous statement as **Exhibit P-100**. Upon being shown **Exhibit P-83** (video), he deposed before this Committee that bundles of currency notes of ₹500 denomination were spread around three feet and to a height of about two and a half feet near the entrance of the room. He further deposed that similar bundles of currency notes, burnt and half-burnt, were scattered all over the room. He identified Pradeep Kumar in the video and identified the voice as that of Sri Manoj Kumar Mehlawat (P.W -3).

136. PW-4's earlier statement **Ex. P-100**, made before the In-House Committee, records that on entering the storeroom he had noticed a large pile of cash of ₹500 denomination scattered all on the floor and that he was shocked and

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surprised to see such a large amount of cash, which he had seen for the first time in his life. He also identified the video as showing the inside of the storeroom at Bungalow No. 30, Tughlaq Crescent, and identified the voice of Shri. Manoj Kumar Mehlawat P.W.3. He has deposed in his affidavit filed in lieu of his examination in chief, namely **Exhibit P-99**, to the following effect:

"Upon entering the room, I saw that all around the room, large pile of currency notes was lying everywhere, and they were of Rs. 500 denomination. On the floor, there was a huge pile of currency, some were fully burnt, some were half-burnt and some were unburnt. I was shocked to see so much money for the first time in my life and in my entire firefighting career of 20 years. I have never seen an incident like this where such a huge quantity of cash has been found to be in burnt condition."

137. PW-5, Shri Pravindra Malik, Fire Operator, identified the affidavit filed in lieu of his examination-in-chief as **Exhibit P-105**, wherein he has deposed that upon reaching the bungalow and commenced firefighting operations, he saw currency notes were splashed all over the storeroom. He has deposed that notes were of ₹500 denomination and spread all over from the beginning of the door until the end of the room. He further stated that he had never seen so much money in his life. In his own words, his evidence reads:

"5. Thereafter, I attempted to enter the store-room. At this juncture, due to the force of the hose, the hot iron door touched my left elbow and led to a burn injury.

6. I state that as I entered, due to the force of the water pressure, I noticed currency notes were splashed all over the store room. Pradeep Kumar who also noticed the heaps of bundles of

currency notes, mentioned it aloud and went to Shri Prakash Chand Meena & STO Manoj Mehlawat.

7. These currency notes were of 500 denomination and spread all over from the beginning of the Door, until the end of the room, I have never seen so much money in my life."

138. In cross-examination, PW-5 has deposed that he entered the storeroom first and that Pradeep Kumar was behind him as support staff. He has further deposed that he could see what was located inside the storeroom because he was inside, whereas persons outside would require a torch. He further stated that both fire vehicles returned to the fire station simultaneously and denied the suggestion that after completion of work they remained at the bungalow for one to one-and-a-half hours. He also denied the suggestion that he and others, while leaving, took away the money found in the storeroom. This very suggestion would clearly establish the presence of cash in the storeroom.

139. PW-6, Shri Sunil Kumar, Head Constable, PCR, had filed his affidavit in lieu of Examination-in-Chief which came to be marked as **Exhibit P-110** and his previous statement made before IHC as **Exhibit P-111**. He identified his mobile phone as **Exhibit P-19A**, the certificate issued under Section 63 of BSA, 2023 as **Exhibit P-40(a)**, and identified his signature as **Exhibit P-40(b)**. Upon being shown the contents of **Exhibit P-26A**, he identified the place as 30, Tughlaq Crescent and deposed that video was taken from his mobile. He deposed that fire incident occurred on



14/15.03.2025 and that he had seen a heap of ₹500 currency notes. He further deposed that there was a rack and bottles on the left side of the room and heaps of currency notes were found all around. He identified the three videos found in **Exhibit P-26A** and they were already marked as **Exhibits P-83, P-84 and P-85** which was recorded and forwarded to his superior.

140. PW-6's affidavit records that upon being told by a fire official that currency notes had caught fire inside, he went closer and looked inside the storeroom. With the flashlight used by the fire personnel, he clearly saw heaps of ₹500 currency notes lying on the floor, some partly burnt, some fully burnt, and some unburnt, and from their appearance he could see that they were Indian currency notes.

141. PW-7, Shri Roop Chand, Head Constable, Delhi Police, filed his affidavit in lieu of Examination-in-Chief as **Exhibit P-112** and his previous statement before IHC as **Exhibit P-113**. He identified his mobile phone as **Exhibit P-18**, the certificate issued by him under Section 63 of BSA, 2023 as **Exhibit P-40(c)** and his signature as **Exhibit P-40(d)**. Upon viewing the contents of **Exhibit P-26A**, he identified the place as 30, Tughlaq Crescent, New Delhi and stated that the incident occurred on 14/15.03.2025. He has deposed that he saw ₹500 currency notes and he had recorded the videos from his mobile **Exhibit P-18**, referring to videos already marked as **Exhibits P-89, P-90 and P-91**.

142. In PW-7's earlier statement **Exhibit P-113** it has been stated that when the fire was brought under control and the fire brigade personnel were locating embers within burnt articles, ₹500 denomination notes in burnt condition were present from the door till the back of the storeroom, visible by torchlight. He further states that when embers were being cleared from the ledge, bundles of notes mixed with other items were coming down and that notes on the floor, half burnt and affected by fire, were apparently visible. The suggestion made in the cross examination to this witness i.e., PW-7 has reinforced the imputation of charge or in other words, demolished the entire defence of the Judge, namely, the defence of there being no cash/currency notes in the storeroom has receded to background or evaporated into thin air. The said suggestion made to PW-7 reads:

"Question: The money which you claim to have seen at the place of fire, was it above five lakhs or not?"

Answer: I state that the money found at the place of fire was unimaginable and an ordinary person like me could not have thought of it in dreams also. The amount of five lakhs is too small. When the fire was doused and being cleared, the bundles of five hundred currency notes were found all over. The amount found was much more than five lakhs."

143. PW-8, Shri Umesh Malik, SHO, Police Station Tughlaq Road, filed his affidavit in lieu of Examination in Chief and it is marked as **Exhibit P-114** and his previous statement before IHC is marked as **Exhibit P-115**. In his affidavit, he deposed that when the firefighters were cooling the

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storeroom, there were murmurs about burnt cash being found, whereafter he went closer to the storeroom entrance. With the help of torchlight, he clearly saw heaps of bundles of burnt and half-burnt ₹500 notes lying on the floor from the door up to the opposite wall. He also saw bundles of burnt currency notes stacked on a ledge on the right side of the storeroom, some of which were being pulled down by fire personnel, and they were falling on the floor. He further deposed that he directed HC Roop Chand to take photographs and videos of the inside of the storeroom.

144. The statement, **Exhibit P-115**, recorded before the IHC, when juxtapositioned with the statement made before this Committee, the irresistible conclusion would be that both statements substantially lead to the same core fact, namely, the witness PW-8, having seen large bundles of cash, lying on the floor as well as on the ledge of Rupees 500 denomination and some tied in bundles and others opened up due to pressure of water which was used to douse the fire.

145. The convergence in the testimony of these witnesses is material. PW-2, PW-4 and PW-5 are fire personnel. PW-6, PW-7 and PW-8 are police personnel. They came to the premises in discharge of their official duties. They were not members of the household. They had no demonstrated personal connection with the Judge. Their descriptions differ in detail, as is natural in a dynamic fire scene. Yet, on the central fact, they speak in one voice: ₹500

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denomination currency notes, burnt or half-burnt or wet, were seen strewn across the storeroom, which were in large quantity.

146. The ocular evidence gives certain indication of huge amount of currency notes present in the storeroom and as indicated by the PW 7, the quantity of which was unimaginable.

147. The Committee is conscious that the witnesses do not provide a mathematically precise account of the quantity. Some speak of heaps, some of bundles, some of notes spread from the entrance, some of notes on the floor and ledge, and some of notes scattered because of water pressure. This difference does not detract from the core fact of electronic evidence, as well as what could be seen evidently from the photos and videos in corroboration with the depositions. But these are completely irrelevant. On the contrary these instances give indication that such steps were not taken out of certain apprehension in the mind of the police/fire officials or to help the Judge. The Judge is required to provide an explanation or at least name the persons who are involved in removing the debris of the burnt/semi burnt currency notes as his family members and his trusted servants and his Private Secretary were present in the house at the time of the fire incident.

148. The electronic material also support the testimony. PW-1, Shri Akhlesh Kumar, CFSL, proved the receipt of material, CFSL reports, pen drives and connected certificates. He stated that one pen drive was marked as **Exhibit P-16**, referred to in **Exhibit P-11** as M-2, M-13 and M-16, and that copied

pen drives were furnished to the Committee, one of which came to be marked as **Exhibit P-26A**. The electronic evidence in the form of videos and photographs taken on mobile phones of the officials and persons at the site of fire on the fateful night also supports the eyewitness testimony. The forensic expert/PW-1 has categorically stated that videos are neither tampered with nor morphed and these videos and photographs were taken from the same mobile phones which were identified by the eyewitnesses during the inquiry as belonging to them. The CDR analysis of these mobile phones also clearly establish the presence of these mobile phones at the time of taking these videos and photographs and these were taken at 30, Tughlaq Crescent, New Delhi.

149. The videos and still images were then identified by witnesses who were present at the site. PW-2 identified the place, voice and visuals in **Exhibits P-83 to P-94**, PW-3 identified his own voice in **Exhibit P-83** and other videos. PW-6 and PW-7 identified videos taken from their mobile phones or connected to their mobile records. Thus, the videos and photographs are connected to the incident through witnesses who were present at the site.
150. The defence has relied upon the absence of seizure, panchanama, inventory and physical production of the currency notes. That issue will be considered separately. At this stage, the Committee is concerned with whether the factum of presence of currency notes stands established by evidence. On that

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limited but central question, the evidence of the above witnesses is clear and mutually corroborative.

151. For the purposes of this stage of appreciation, the Committee records that the presence of substantial material identified by several official witnesses as ₹500 denomination Indian currency notes inside the storeroom stands established.

152. The Committee therefore answers the first factual issue thus: substantial Indian currency notes of ₹500 denomination, in burnt, half-burnt, wet or scattered condition, were present inside the storeroom during or immediately after the dousing and cooling of the fire and it is also admitted by the Judge that the presence of currency notes.

10.4 MAGNITUDE AND EXACT QUANTIFICATION OF CURRENCY

153. Having recorded that substantial currency notes was seen inside the storeroom, the Committee must next consider whether the exact amount of currency notes stands established. The defence has specifically criticised the absence of precise quantification.

154. The Committee considers this criticism to be relevant to the limited question of exact quantification. In the absence of seizure, inventory, counting, weighing, separation, sampling or physical preservation of the currency notes, the Committee would not be justified in returning a finding as to an exact rupee amount. Nor would it be proper to mechanically adopt, as a

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quantified finding, the expression of four to five sacks or bags, unless the same is supported by direct and reliable material capable of precise acceptance.

155. At the same time, the inability to determine exact quantum is not the same as absence of proof of substantial quantity. The evidence of the witnesses does not merely speak of a few stray notes. PW-2, Shri Ankit Sehwal, has deposed that he saw bundles of ₹500 notes spread over an area of about seven to eight feet from the entrance door. He has also stated earlier that a large number of ₹500 denomination notes were half-burnt, wet and singed by fire.

156. PW-4, Shri Bhanwar Singh, spoke of bundles of ₹500 notes spread near the entrance of the room, and similar burnt and half-burnt bundles scattered all over the room. In the earlier In-House statement **Exhibit P-100**, he has described a large pile of cash of ₹500 denomination and stated that he had never seen such an incident in his fire-fighting career where half-burnt cash in such huge quantity was found at the scene of fire.

157. PW-5, Shri Pravindra Malik, stated in his affidavit **Exhibit P-105** that currency notes were spread all over from the beginning of the door until the end of the room and that he had never seen so much money in his life. His earlier statement also refers to stacks of half-burnt currency notes, ₹500 denomination notes, and a stock pile of half-burnt currency notes seen by him and other fire personnel. 4

158. PW-6, Shri Sunil Kumar, Head Constable, PCR, stated that he saw heaps of ₹500 currency notes, partly burnt, fully burnt and some unburnt, lying on the floor, and that he recorded and forwarded videos to his superior. PW-7, Shri Roop Chand, when asked in cross-examination whether the amount was above five lakhs, he has deposed that five lakhs was "too small", that bundles of ₹500 currency notes were found all over when the fire was doused and cleared, and that the amount was much more than five lakhs.
159. PW-8, Shri Umesh Malik, SHO, deposed in his affidavit **Exhibit P-114** that he saw heaps of bundles of burnt and half-burnt ₹500 notes lying on the floor from the door up to the opposite wall and also saw bundles stacked on a ledge on the right side of the storeroom. In his earlier statement **Exhibit P-115** recorded before IHC he has referred to a stack of half-burnt currency notes lying on the floor and another stack on the ledge, each about one and a half feet high, with some notes tied in bundles and others opened up possibly due to pressure of water and same is reiterated in the evidence tendered before the Committee.
160. The above evidence, read as a whole, establishes that the material seen by the official witnesses was not insignificant or stray instance. It was substantial. The witnesses differed in words of description, but not in the essential character of what they saw. The difference in expression is also natural. The witnesses were not accountants or valuers called to draw an inventory of cash found. They were fire and police personnel observing

burnt, wet, scattered and partially disintegrated material in a smoke-affected storeroom.

161. The videos and photos along with oral evidence conclusively establish that quantity of burnt or semi burnt currency notes was huge and shocking in size and magnitude.

162. This finding also accords with the disciplined manner in which the evidence ought to be read. Where the record does not permit a precise figure, the Committee must not invent one. Where the record clearly establishes substantial presence, the Committee must not reject that fact merely because the exact figure is unavailable.

10.5 ELECTRONIC AND PHOTOGRAPHIC CORROBORATION

163. The Committee next considers the electronic and photographic material. As already indicated, the Committee does not rest its finding of presence of currency notes solely upon videos or still images. The primary foundation is the evidence of official witnesses who were present at the site and who were cross-examined. The electronic and photographic material is nevertheless relevant, as it corroborates the place, the condition of the storeroom, the presence of fire personnel, the voices identified by witnesses, and the visual depiction of the material seen inside the room.

164. PW-1, Shri Akhlesh Kumar, Deputy Director and Scientist-D, CFSL, Chandigarh, proved the forensic chain at the level of receipt, examination

and reporting by CFSL. He stated that the CFSL office received communication dated 26.03.2025 with one sealed cloth parcel on 27.03.2025, which communications were marked as **Exhibits P-9 and P-10**, and he has deposed that standard procedure was followed at CFSL, including entry in the case opening worksheet, photographing and video-graphing of the parcel, checking of seals and matching of seals with specimen seals.

165. PW-1 further stated that after opening the sealed parcel, three sub-parcels and different sealed envelopes were found, and that four CFSL reports and connected covering letters were marked as **Exhibits P-11 to P-15**. He identified the pen drive marked as **Exhibit P-16**, which was referred to in **Exhibit P-11 as M-2, M-13 and M-16**. He has also deposed that the said pen drive was opened and displayed in this enquiry proceedings, and that folders containing photographs and videos were opened in the presence of the Committee and the parties which came to be displayed / viewed on 06.02.2026.

166. In his further examination-in-chief, PW-1 identified the relevant mobile phones and covers, including the mobile phone associated with **M-2**, the Samsung A22 phone marked as **Exhibit P-18**, the mobile phone of PW-6/HC Sunil Kumar marked as **Exhibit P-19A**, and connected covers and devices. He has deposed that the contents of **Exhibit P-16** included timeline reports prepared in response to queries, that data was copied into six pen drives pursuant to email communication from the Committee, and that one

such pen drive was marked as **Exhibit P-26A**. He also proved certificates under Section 63 of the Bharatiya Sakshya Adhiniyam, 2023 as **Exhibits P-23 to P-25**.

167. The exhibits independently record this electronic chain: P-16 as the pen drive numbered in **Exhibit P-11 as M-2, M-13 and M-16**; **P-21** as the email dated 27.11.2025 requesting copying of data into six sets; **P-22** as the CFSL forwarding letter dated 15.12.2025; **P-23 to P-25** as certificates; **P-26** as the sealed cover; and **P-26A** as the cloned pen drive for the Judicial Inquiry Committee.

168. The defence cross-examination of PW-1 brought out certain limitations. PW-1 accepted that prior to receipt of **Exhibits P-9 and P-10**, he had no personal knowledge of the case, seizure of material, or what had transpired before CFSL received the material. He also accepted that certain aspects such as the IPDR details of the Judge's mobile phone were not within his scope, that the DVR was not received, and that he had not informed higher authorities about non-receipt of the DVR although it was reflected in communication **Exhibit P-9**.

169. In later cross-examination, PW-1 stated that the certificates **Exhibits P-23 to P-25** had been issued under Section 63(4)(c) Part B in the Schedule and that the articles received were analysed based on hash value. He denied the suggestion that the certificates were not in consonance with Section 63 of the Bharatiya Sakshya Adhiniyam, 2023. He also accepted that the entire

data available in COM-110-25, **Exhibit P-16**, had not been copied into **Exhibit P-26A**, and that all the data retrieved remained available with CFSL Chandigarh.

170. The Committee has weighed the said admissions. They show that the electronic evidence has to be read with caution and in the context of the scope of the CFSL examination. They also show that the Committee should not treat the electronic evidence as an exhaustive reconstruction of every movement at the premises. The material supplied and relied upon was not the entire universe of data. It was the relevant extracted material, as identified and supplied.

171. The evidentiary value of the electronic material is very high and establishes several foundational facts. The witnesses who were present at the site identified the place, the persons, the voices and the contents, apart from admitting that they have taken these videos and photos on their mobile phones.

172. PW-2, Shri Ankit Sehwal, identified **Exhibit P-26A**; identified the place visited by him on the date of the fire incident; and identified the video files which came to be marked as **Exhibits P-83, P-84 and P-85**. He identified the voice of STO Manoj Mehlawat and the person doing the work in the video as that of Pradeep, Fire Operator. PW-2 has also deposed that during the dousing of the fire, he saw bundles of ₹500 notes and the currency notes was spread over an area of seven to eight feet from the entrance. He has also

identified still images marked as **Exhibits P-86 to P-88**, stating that the heap of money was visible in those photographs.

173. PW-3, Shri Manoj Mehlawat, identified his voice in **Exhibit P-83** where the expression "*Mahatma Gandhi Mein Aag Lag Rahi Hai Bhai*" was heard. The said identification assumes significance because the phrase, in context, was used by the witness in relation to ₹500 currency notes, which carry the image of Mahatma Gandhi. His In-House statement marked as **Exhibit P-97** also records that he accepted the voice as his own, while denying that he had made the video.

174. PW-6, Shri Sunil Kumar, identified the place as 30, Tughlaq Crescent, stated that the video was taken from his mobile phone, and has deposed that he saw a heap of ₹500 currency notes. He also stated that he recorded three videos, which were already marked as **Exhibits P-83, P-84 and P-85**, and forwarded the same to his superior.

175. PW-7, Shri Roop Chand, in his statement made before IHC marked as **Exhibit P-113**, stated that he recorded still photographs and videos on his mobile phone upon being asked by the SHO, and his mobile phone was later seized. In cross-examination before the present Committee, he admitted that he had deleted photographs and videos from his mobile after forwarding them, stating that the matter related to a High Court Judge and was sensitive, and he was orally instructed by the SHO to delete the same.

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176. PW-8, Shri Umesh Malik, stated in his affidavit that after noticing half-burnt stacks of notes on the floor and ledge of the storeroom, he directed HC Roop Chand to take photographs and videos from inside the storeroom, and that Roop Chand did so. He has also deposed that he later forwarded the videos and photographs to his superiors.

177. Thus, the electronic material is corroborative in a meaningful sense. It is connected to devices examined by CFSL; it is marked through the proceedings; it is identified by the witnesses present at the site; and it corresponds to their account of the place, the fire operation and the presence of burnt or half-burnt currency notes. Analysis Report **Exhibit P-38** is the Call Detail Records of the first responders to the incident of fire at 30, Tughlaq Crescent, new. Perusal of the same would clearly establish the presence of PW-2 to PW-8 at the scene of fire, on the intervening night 14/15.03.2025.

178. The Committee therefore treats the electronic and photographic material as corroboration of testimony and not as the sole foundation of the finding. Additionally, it is pertinent to note that the electronic evidence on record clearly goes on to show the volume of Indian currency notes at the storeroom, which was substantial, huge, and in very large proportion.

10.6 NON-SEIZURE, ABSENCE OF PANCHANAMA, INVENTORY AND PHYSICAL VERIFICATION

179. The defence has laid considerable emphasis on the fact that no currency notes was seized, no panchanama was prepared, no inventory was made, no sample note was preserved, and no physical currency notes was produced before the Committee for examination. It has been further submitted that, in the absence of seizure and verification, it cannot be conclusively determined whether the material seen by the witnesses was genuine Indian currency notes or something else.

180. PW-7, Shri Roop Chand, was specifically asked whether the money which he claimed to have seen was seized. He answered in the negative, stating that he did not seize the amount having regard to the sensitivity of the issue as it related to a sitting Judge of the High Court, and that he was acting according to the instructions of the SHO. He has further deposed that he did not seal the storeroom or cordon off the area, volunteering that the storeroom was within the Judge's bungalow and that security guards were already present.

181. PW-7 was also asked whether even one or two notes were seized to determine whether the notes were real currency or fake currency. He stated that no such notes were seized. He has also deposed in the cross examination dated 17.03.2026, that he had not intimated the income tax department. In his voluntary statement he has deposed that he had not received any

complaint from the Judge's side nor any instruction from the higher officials for taking further steps in the matter, though he was ready. In his own words it reads:

"Witness volunteers and state that I had not received any complaint from the Judge's side nor any instructions from the higher officials for taking further steps in the matter, though I was ready. Witness further volunteers and state that he contacted Shri CG Rawat next day i.e. on 15.03.2025 to ascertain whether any further action is to be taken and he further volunteers and states that Mr. CG Rawat informed me next day i.e. on 15.03.2025 that there is nothing to be done as everything has been removed by them and accordingly, I informed the SHO."

182. PW-8, Shri Umesh Malik, in cross-examination, accepted that Roop Chand acted on his instructions and stated that he did not give any specific instruction with regard to not carrying out seizure. He also stated that he did not give any instruction to seal or not to seal the storeroom.

183. This distinction is central. The Committee will not ignore the consistent testimony of several official witnesses, from different departments, who identified the material as ₹500 denomination currency notes, burnt, half-burnt, wet or scattered within the storeroom. This Committee cannot lose sight of the fact that the first responders of the fire incident were subordinate officers who were answerable to their higher authorities. The fire incident had occurred in the official residential quarters of a sitting High Court Judge and naturally the incident would be monitored at micro-level and non – recording of the Indian currency notes found in the records or non- seizure

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of the Indian currency notes, found at the scene of fire by itself would not be a ground to discard all other corroborative material available on record particularly when the first responders were informed by the personal secretary of the Judge informs them to leave the premises on fire being doused, which direction obviously could not have been ignored or brushed aside. These hard facts cumulatively persuade this Committee to arrive at a conclusion that non-seizure of Indian currency notes found at the scene of fire or absence of Panchama/ inventory being drawn, or any other statutory authority being informed by itself would not be sufficient to displace overwhelming evidence which singularly point out to the presence of Indian currency notes at the scene of incident.

184. The absence of seizure, therefore, weakens exact quantification and physical verification. It strengthens the need to examine the failure of preservation. It does not, standing alone, disprove the presence of currency-like material identified by witnesses as ₹500 Indian currency notes.

185. The Committee accordingly holds, at this stage, that non-seizure and absence of panchanama are lapses. This lapse should be viewed in the light of the fact that this occurrence happened at the official residence of a sitting Judge of a High Court and the police and fire officials were fully cognizant of this fact. Moreover, the officials concerned have given explanation for the lapse on their part in seizing the currency notes, preparing panchanama & inventory etc. The explanation offered is to the effect that as the issue is

sensitive & it related to a sitting Judge of the High Court and as directed by the superior officers, the amount in question was not seized and no panchanama or inventory were prepared (vide evidence of PW-7 Roop Chand & PW-8 Umesh Malik read with his previous statement Ex. 115). This explanation offered cannot be lightly brushed aside. They do not, however, displace the primary finding that substantial ₹500 denomination currency notes were seen inside the storeroom.

10.7 EVIDENTIARY SIGNIFICANCE OF SUGGESTIONS PUT IN CROSS-EXAMINATION

186. The Committee has also considered the nature of suggestions put on behalf of the Judge during the cross-examination of material witnesses. A suggestion put in cross-examination does not, by itself, establish the truth of the fact suggested. Equally, such suggestions are not irrelevant. They indicate the line of defence adopted, the hypotheses sought to be advanced, and the manner in which the testimony of a witness is sought to be tested.
187. The earliest written response dated 22.03.2025 (**Exhibit P-3**) of the Judge was one of denial of knowledge, denial of ownership and denial of removal. His position was that neither he nor his family members had knowledge of any cash in the storeroom; that after the fire and police personnel had left, no cash or currency notes was seen; and that none of his staff had removed any currency notes or cash in any form. The later defence, while maintaining

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denial, also questioned the genuineness, quantity and proof of the material allegedly seen.

188. In the cross-examination of PW-2, Shri Ankit Sehwal, it was suggested that fire officers had stayed at the spot for a long time even after their work was over; that photographs and videos were stopped from being taken though fire personnel remained at the spot; and that the fire officers had removed the cash found at the spot and taken it away. PW-2 denied these suggestions. He also denied the suggestion that he did not report an allegedly incorrect entry because fire personnel had taken away the money found at the place of fire.

189. A similar suggestion was put to PW-5, Shri Pravindra Malik. He was asked whether, after completion of work, the fire personnel remained at the Judge's bungalow for about one to one-and-a-half hours and whether he and others present at the bungalow, while leaving, took away the money found in the storeroom. PW-5 denied both suggestions.

190. In the cross-examination of PW-7, Shri Roop Chand, the defence elicited that the amount was not seized; that the storeroom was not sealed or cordoned off; and that even one or two notes were not seized to ascertain whether the notes were real currency or fake currency. These answers were relied upon to demonstrate the absence of physical preservation and verification. ✈

191. These suggestions and answers assume significance in two respects. First, the defence did not remain confined to the plea that no currency notes existed or that the Judge had no knowledge of it. It also explored the alternative hypothesis that, if currency notes were present, it may have been removed by the fire or police personnel. Secondly, the suggestion relating to fake currency notes shows that the defence sought to rely upon the absence of seizure and forensic verification to question the evidentiary sufficiency of the material seen at the spot. These are unsupported and baseless suggestions. They should be backed by evidences and material which were never supplied by the Judge even after he was given extended time to submit his evidence in defence.

192. The Committee is conscious that such suggestions cannot be treated as proof of the alternative case suggested. The fact that a witness was asked whether he or others took away the cash does not establish that he did so. The fact that no note was seized for testing whether it was real or fake currency notes does not establish that the material was fake. On the contrary, the witnesses to whom the suggestion of removal was put denied the same.

193. The Committee therefore treats these suggestions in a limited but important manner. They form part of the defence strategy and have been considered. They do not establish that the first responders removed the currency notes. They do not establish that the material was fake currency notes. They do, however, require the Committee to keep distinct three questions: *first*,

whether substantial material identified by several witnesses as ₹500 Indian currency notes was present in the storeroom; *secondly*, whether the failure to seize and preserve the material affects exact quantity and scientific verification; and *thirdly*, whether the later disappearance or non-availability of the material has been satisfactorily explained.

194. On the first question, the Committee has already recorded that presence stands established. On the second, the Committee has recorded that exact quantity and physical verification are affected by non-seizure. The third question will be examined in the subsequent part while considering the handling of the scene, the first responder removal theory, and the subsequent condition of the storeroom.

10.8 FIRST RESPONDER REMOVAL THEORY

195. The Committee next considers the defence that the first responders, namely fire service personnel, police officials or other officials present at the site, may have been responsible for the subsequent non-availability of the currency notes.
196. However, the question is not whether the first responders handled debris. They did. The question is whether there is any reliable material to show that they removed the currency notes, or that their presence and activity explain the later non-availability of the currency notes. On this question, the material before the Committee does not support the defence.

197. The suggestion that the fire personnel removed the money was put directly to the witnesses. PW-2, Shri Ankit Schwag for the first time, who denied the suggestion that fire officers had removed cash from the spot and taken it away. PW-5, Shri Pravindra Malik, was also suggested that he and others, while leaving, took away the money found in the storeroom. He denied the suggestion. These denials assume significance because the witnesses were confronted with the very defence now sought to be advanced, and no admission or circumstance favourable to that theory was elicited.
198. The evidence of PW-8, Shri Umesh Malik, also does not support the theory that the fire personnel or police removed the currency notes. His affidavit records that he went closer to the storeroom entrance after hearing murmurs about burnt cash; that with the help of torchlight he saw heaps of burnt and half-burnt ₹500 notes lying on the floor and on the ledge; and that he directed HC Roop Chand to take photographs and videos of the inside of the storeroom. This conduct is inconsistent with the theory that the police response at that stage was directed towards removal of the material.
199. The Committee therefore records that the defence based on first responder removal remains a hypothesis. It was open to the Judge to test that hypothesis through cross-examination, and the witnesses were so tested. The suggestions were denied. No independent evidence, either eye witness or electronic evidence or any documentary evidence has been placed to show that any fire official, police official or other first responder removed the

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currency notes from the storeroom. These were stray suggestions without any basis and evidence. The Judge has also not disclosed his source of information that these officials have taken away the money. These suggestions coming from the Judge does not appeal to logic.

200. The legal and factual effect of this conclusion is clear. The first responder theory does not displace the finding that currency notes was seen in the storeroom. Nor does it satisfactorily explain the later non-availability of the material. What it does establish is that the scene was not secured with the degree of seriousness which the discovery demanded. That aspect is relevant to the charge relating to failure to preserve material evidence and shall be considered while recording the findings on Article II. It is also significant to note that admittedly, the Judge was in touch with Shri Karki, Private Secretary to the Judge and Mohd. Rahil, his attendant/servant, apart from his daughter which is borne out of the Judge's own statement of defence.

10.9 SUCCESSIVE EXPLANATIONS FURNISHED BY THE JUDGE

201. The Committee now considers the explanations furnished by the Judge at different stages. This exercise is necessary because the explanation of a constitutional functionary, when called upon to answer a matter of such gravity, is itself part of the evidentiary record. The Committee does not proceed on the assumption that every expansion of defence is suspect.

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202. The earliest explanation dated 22.03.2025 (**Exhibit P-3**) was given in response to three specific questions posed through the Chief Justice of the Delhi High Court: how the Judge accounted for the presence of money or cash in the room; what was the source of such money or cash; and who removed the burnt money or cash from the room in the morning of 15.03.2025. In response, the Judge denied knowledge, denied ownership, denied placement by him or his family, denied removal by his staff, and stated that when he, his Private Secretary and the PPS inspected the gutted room, no currency notes were found in any state.
203. That earliest explanation is important because it was given before the defence became forensic or technical. It was a factual response. Its central theme was that no cash was seen by those associated with the household after the fire personnel and police had left; that the storeroom was disconnected and accessible; and that the Judge had no connection with the alleged cash.
204. The next stage was the comprehensive statement dated 30.04.2025 before the In-House Committee which was marked as **Exhibit P-2** before the present Committee. By then, the Judge had developed a broader response. He challenged the assumptions underlying the inquiry, questioned the absence of seizure and quantification, raised issues relating to CCTV, highlighted the role of first responders and asserted that there was no

material to establish removal of cash from the site on or after 15.03.2025, whether with or without his knowledge.

205. The next material stage is the response dated 06.05.2025, as reflected in Writ Petition (Civil) No. 699 of 2025, marked as **Exhibit P-4**. After the In-House Committee submitted its report, the CJI, by communication dated 04.05.2025, gave the Judge the option to resign or seek voluntary retirement by 06.05.2025. The Judge, by his response dated 06.05.2025, sought reconsideration and further time to submit a representation, and expressed inability to resign or seek voluntary retirement, stating that such a course would imply acquiescence to a process and outcome which he considered unjust. This sequence is also noticed in the judgment dismissing Writ Petition (Civil) No. 699 of 2025.

206. The stand taken in **Exhibit P-4** is of significance. The Judge's earliest reply dated 22.03.2025 was a broad factual denial; no cash had been placed by him or his family; no cash or currency notes were seen by household members or staff after the fire; and none of his staff had removed any article, currency notes or cash. However, by the stage of **Exhibit P-4**, the factum of discovery of burnt currency notes was not denied. The Supreme Court, while dismissing Writ Petition (Civil) No. 699 of 2025, recorded that though the Judge denied that any cash was placed by him or his family and alleged planting, he neither denied the incident of fire nor the discovery of burnt currency notes. ✖

207. This shift does not amount to an admission of ownership or culpability. It is, however, material in appreciating the successive explanations. The defence moved from a factual denial of cash being seen by the household or staff after the dousing of fire, to a position where the discovery of burnt currency notes was not disputed, but the emphasis shifted to non-seizure, absence of Panchama, non-preservation, want of quantification, absence of proof of genuineness, and absence of proof connecting the currency notes to the Judge.
208. The progression is therefore clear. The Judge first denied knowledge, placement, source and removal. He thereafter did not deny discovery of burnt currency notes but questioned the evidentiary value and legal consequences of such discovery. That movement in the defence does not furnish an explanation for the presence of substantial currency notes in the storeroom. Nor does it answer its later non-availability.
209. The comprehensive statement also treated the alleged cleaning activity as routine cleaning of a fire-ravaged site. The Judge contended that even if certain staff members had cleaned the area, such activity could not be equated with removal of burnt or half-burnt currency notes, and that none of the staff spoke of any cash being found in such debris.
210. The statutory Statement of Defence dated 12.01.2026 filed before this Committee, then placed the defence in formal legal terms. The Judge denied ownership, possession, knowledge, control, failure to disclose, failure to

explain lawful source, destruction of evidence, acquiescence and misleading explanation. He further submitted that he could not be held liable for matters outside his personal knowledge and that the charges rested on assumptions of occupation, control, knowledge and accountability.

211. Even, in the Additional Statement of Defence dated 03.02.2026, the Judge focused on the electronic material supplied to him. He reserved all objections relating to authenticity, integrity, completeness, custody, admissibility, relevance and probative value. He stated that files were inaccessible or unreadable, that complete electronic data from first responders and DVR/CCTV footage had not been supplied, and that the first responders remained present in large numbers after the fire had been doused.
212. The Committee thus notices four layers of defence: *firstly*, denial of knowledge and ownership; *secondly*, assertion of conspiracy or planting; *thirdly*, legal denial of possession, control and duty; and *fourthly*, technical challenge to electronic material and official preservation.
213. The Committee does not treat these layers as impermissible. The Judge was entitled to respond as the record expanded. However, none of these layers furnishes a satisfactory answer to the primary fact established by the evidence, namely the presence of substantial ₹500 denomination currency notes inside the storeroom.
214. The earliest explanation dated 22.03.2025 (**Exhibit P3**) that no cash was seen when the site was inspected later is not sufficient to displace the direct

evidence of several official witnesses who saw the currency notes earlier. If anything, it sharpens the question as to what happened to the material between the time when the witnesses saw it and the time when it was allegedly not seen by those associated with the household.

215. The defence of non-ownership is also not, by itself, a complete answer. The charge is not being examined as a prosecution for unlawful possession under a penal statute. Once substantial currency notes found in such premises, the explanation expected is not merely, "it is not mine"; it must reasonably address how such material could have come to be present and why no satisfactory account of its source or later non-availability exists.

216. The technical objections to electronic material have already been noticed. They affect the degree of reliance to be placed on electronic evidence as independent proof. They do not erase the evidence of the officials who saw the currency notes, nor do they explain the absence of the material thereafter.

217. The stage at which the Judge withdrew from the inquiry assumes significance in the above backdrop. The Committee does not treat withdrawal, by itself, as proof of any Article of Charge. However, the withdrawal did not occur at the threshold. It occurred after the presenting side had led its evidence, after nine witnesses had been examined, after documents and electronic evidence had been tendered, after opportunity of cross-examination had been fully availed of, and at the precise stage when

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the Judge was required to disclose whether he proposed to lead evidence in defence.

218. The relevance of this stage is accentuated by the nature of the defence taken by the Judge from time to time. In his earliest response, the Judge had stated that after the fire had been doused, neither his family members nor his staff had seen any cash or currency notes at the site, and that neither he nor his family had placed any cash in the storeroom. The defence thereafter did not remain confined to such denial. In the writ proceedings instituted by the Judge, the presence of cash came to be admitted vide paragraph no. 4 of the Synopsis to Writ Petition No. 699 / 2025 (**Exhibit P-4**) and is now sought to be treated on a different footing, the emphasis being placed on the alleged failure of the authorities to seize, inventorise, preserve or lawfully document the same. Thereafter, in the Statement of Defence, the Judge stated that he had made certain private inquiries and had suspicions regarding the possible role of staff members. During cross-examination, suggestions were also put to the witnesses that the money found in the storeroom was removed by the officials. Further suggestion has also been put to PW- 7, namely, Roop Chand, as to whether they had seized even one or two notes to find whether it is real currency or fake currency. It is for the first time such a plea has been raised on behalf of the Judge and that too in the cross-examination. This would only indicate that the defence being put up is consistently inconsistent and in fact has acted prejudicially to the interest of the Judge.

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219. These were not merely legal submissions. They were factual hypotheses. If the Judge had made inquiries from members of his household, staff, Private Secretary, PPS, security personnel or any other person attached to the premises, the nature of such inquiries, the persons spoken to, the answers received, the basis of suspicion, and the steps thereafter taken were matters peculiarly within his knowledge or within the knowledge of persons whom he could have chosen to examine. If it were to be so, nothing prevented either the personal secretary of the Judge registering a formal complaint immediately or on the return of the Judge to Delhi on the next day, either with regard to the fire incident or suspecting conspiracy, which would have enabled the appropriate authorities to investigate the same. However, no such steps as expected of a prudent person were taken. Likewise, if the plea was of planting, conspiracy, staff involvement, first responder removal, or foul play, some material in support thereof could have been placed before the Committee by way of defence evidence.

220. No such course was adopted. No list of defence witnesses was filed. No affidavit in lieu of examination-in-chief was furnished. No member of the household, staff, security establishment, personal office or any other person stated to be relevant to the defence was sought to be examined. No application was moved seeking summoning, on behalf of the Judge, of any witness whose name appeared in the witness list but was not examined by the presenting side. No material was placed to show that any complaint or

FIR, including a complaint alleging planting, conspiracy, theft, removal or foul play, had been lodged by or on behalf of the Judge after he came to know of the allegation and after he had himself expressed suspicion.

221. The Committee is conscious that the Judge was not required to prove his innocence in the abstract. The Committee has, therefore, first examined the evidence led on behalf of the presenting side. However, once the primary facts stood established on record, namely the presence of substantial currency notes in the storeroom, its location within the official premises, its later non-availability, and the absence of any satisfactory explanation as to its source or removal, the positive pleas raised by the Judge could not remain as unproved assertions. A defence which alleges conspiracy, planting, staff involvement or removal by public officials must, if it is to displace established facts, be supported by some material.

222. The Committee therefore draws a limited but legitimate inference from the course adopted. The withdrawal from the inquiry does not independently prove the charges. It does, however, leave unanswered those matters which the Judge alone, or witnesses from his side, were best placed to explain. The successive stands taken by the Judge, from denial of presence to challenge based on non-seizure and non-preservation, to suspicions against staff, and thereafter to suggestions of fake currency or removal by first responders, remained unsubstantiated.

10.10 CONSPIRACY, PLANTING AND ARSON THEORY

223. The Committee next considers the plea of conspiracy, planting and arson.

This plea was first clearly articulated by the Judge after he was shown the video and photographs by the Chief Justice of the Delhi High Court. In his reply dated 22.03.2025, he stated that he was shocked to see the video, since it depicted something which was not found on site as he had seen it, and that it appeared to be a conspiracy to frame and malign him. He also referred to earlier allegations circulated on social media in December 2024.

224. A plea of conspiracy in a matter of this nature is serious. It cannot be rejected merely because it is unusual. If there were material to indicate planting of currency notes, motivated entry, fabrication of evidence, manipulation of videos, or a deliberate attempt to frame a Judge, the Committee would be duty-bound to examine it with the utmost seriousness.

225. However, the plea must still be tested against material. The defence does not identify the person who planted the currency notes. It does not establish when such currency notes were planted. It does not show how such currency notes could have been brought into the storeroom without being noticed by any staff, security personnel or CCTV arrangement. It does not establish any act of entry by a stranger or any identified person who could have placed the currency notes.

226. The Committee is careful not to place an impossible burden on the Judge. He was not required to prove a full criminal conspiracy. But once the

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presence of currency notes is established through official witnesses, and once conspiracy or planting is offered as an explanation, some material must exist which makes that hypothesis reasonably probable. A bare possibility, however, repeatedly stated, cannot displace direct and mutually corroborative evidence.

227. The Committee therefore records that the theory of conspiracy, planting or arson has not been substantiated. It remains an assertion, not an explanation. It does not account for the presence of currency notes. It does not account for its later non-availability. It does not displace the evidence of the fire and police witnesses.

10.11 REMOVAL, DISAPPEARANCE AND LATER NON-AVAILABILITY OF CURRENCY

228. The next issue is the later non-availability of the currency. This issue is distinct from the factum of presence. The Committee has already recorded that substantial currency notes was seen inside the storeroom during or immediately after the dousing and cooling operation. The question now is what inference, if any, arises from the fact that the currency notes was not seized, not inventoried, not preserved and was not later available.

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229. The Judge's earliest answer was that after the fire was doused and when members of the household or staff went back to the scene, they saw no cash or currency notes. He further stated that when he inspected the room later with his Private Secretary and the PPS, no currency notes was found in any state.
230. In the comprehensive statement dated 30.04.2025, the Judge submitted that there was no material to establish that any cash or currency notes was removed from the site on or after 15.03.2025, whether with or without his knowledge. He also submitted that the cleaning activity, if any, was routine clearing of debris and could not be treated as removal of burnt or half-burnt currency notes.
231. On the other side of the record stands the evidence of the official witnesses who saw currency notes. If several independent officials saw substantial ₹500 denomination currency notes in the storeroom, and if the same material was not later available, the question is not merely whether there is direct evidence of a person physically carrying it away. The question is whether the later condition of the site is satisfactorily explained.
232. The evidence of PW-9, Shri C.G. Rawat, assumes significance at this stage. His affidavit records that after the fire had been extinguished, when he passed near the store while going to take over duty at the main gate, he saw household staff and Shri Rajinder Singh Karki present near the store. He stated that when he asked if he could offer help, Rahil told him to go and do

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his duty at the gate. He further stated that after his duty, when he passed the storeroom again, Shri Karki and Mohd. Rahil were still engaged in cleaning work, and that in the morning burnt household articles had been kept outside, and the cleaning work was finished.

233. The aforesaid evidence of PW-9 does not stand in isolation. It has to be read along with the call detail record material on record, which establishes contact between the Judge and persons attached to his establishment during the relevant period. The Judge himself, in his Statement of Defence, has stated that he was in communication with Shri Rajinder Singh Karki and Mohd. Rahil around the relevant time. The Committee does not use the CDR material to infer the contents of any conversation. Its relevance is confined to the factum and timing of contact. Even so, such contact assumes importance when the very persons with whom the Judge was in communication are placed by PW-9 near the storeroom and thereafter engaged in cleaning work.

234. This circumstance materially bears upon the unexplained interval between discovery and non-availability. If substantial currency notes had been seen in the store room by independent fire and police officials, and if immediately thereafter persons attached to the Judge's establishment were near the store room and engaged in cleaning activity, while being in contact with the Judge, the natural questions were: what was communicated to the Judge; what was asked by him; what was stated by Shri Karki and Mohd. Rahil; whether any

instruction was issued to preserve the site; why the room was not secured; and why the alleged absence of currency notes during later inspection was not followed by any immediate complaint of theft, planting, removal or tampering.

235. The physical absence of the Judge from Delhi, therefore, cannot by itself answer this part of the case. The Committee is not recording, on the basis of the CDRs or PW-9's evidence alone, that the Judge directed removal of any material. However, the combined circumstances of communication, presence of Shri Karki and Mohd. Rahil near the storeroom, cleaning activity having taken place immediately after the departure of first responders, and the later non-availability of the currency notes, required a cogent explanation. None has been furnished.
236. The matter assumes further significance because PW-9 stated that when he offered help near the storeroom, Mohd. Rahil asked him to go and do his duty at the gate. The Committee does not treat that answer as proof of removal. But in the setting of the case, it is a circumstance which cannot be brushed aside as innocuous. Once currency notes had been seen by officials, the exclusion of another security personnel from the immediate vicinity of the storeroom during subsequent cleaning is relevant to the question whether the evidentiary condition of the room was preserved.
237. An adverse inference has to be drawn against the Judge in this regard as the storeroom is admittedly in the exclusive possession of the Judge. The claim

that the storeroom is always locked is denied but it is admitted that whenever storeroom is locked, the key is hung near the water dispenser. Thus, it could be concluded that the storeroom in question was in possession & control of the Judge.

238. The timing and nature of the cleaning, therefore, cannot be viewed in isolation. The material seen by the fire and police personnel was not ordinary debris. It was substantial currency identified as ₹500 denomination notes. If the scene thereafter changed, and if by the time of later inspection no such currency notes was found, the absence of a clear explanation assumes serious evidentiary importance.

239. The Committee is not, at this stage of appreciation, recording a finding that any particular individual physically removed the currency notes. Such a finding must be made with caution and only if the material justifies it. What the Committee can safely record is that material evidence seen by several official witnesses was not preserved; that the scene was not sealed; that no inventory was made; that persons attached to the Judge's establishment were seen near the store room and engaged in cleaning activity; that the Judge was in contemporaneous contact with such persons; and that the later non-availability of the currency notes remains unexplained.

240. This finding is sufficient for the evidentiary purpose now under consideration. It demonstrates that the chain from discovery to preservation was broken. The breach of that chain is not a minor irregularity. It goes to

the heart of Article II, because the charge is not merely that cash was found, but that material evidence was not preserved and was allowed to become unavailable before lawful inspection and sealing.

241. The Committee therefore records that the later non-availability of the currency notes has not been satisfactorily explained. The failure to preserve the material, the change in the condition of the site, the cleaning activity by persons attached to the Judge's establishment, and the contemporaneous communication with them, together form a strong chain of circumstances supporting the conclusion that there is sufficient evidence to prove charge 2 against the Judge. The evidence of C G Rawat (PW-9) proves that after the fire was doused, the servants were removing the debris etc., from the storeroom and cleaning it, under the supervision of Shri Karki and Mohd. Rahil. This strongly supports that burnt articles in the storeroom were got removed by them. It is not in dispute that the Judge was in touch telephonically with his daughter as also his Private Secretary Shri Karki & attendant/servant Mohd. Rahil on the intervening night. It is reasonable to infer that their activities were under instructions of the Judge. On the fateful night, as even according to the Judge, he directed Shri Karki to stay in the bungalow through the night "and attend to all formalities". Hence, the inference is that Shri Karki and Mohd. Rahil, on instructions of the Judge, have caused interference with the material evidence as alleged in charge No. 2. It is significant to note that the Judge has failed to examine Shri Karki &

Mohd. Rahil to rebut the evidence of C.G. Rawat (PW-9), which is liable to be accepted.

242. Accordingly, an adverse inference has to be drawn against the Judge in this regard. 

11 CUMULATIVE EVIDENTIARY OBSERVATIONS

243. Upon an overall appreciation of the material, the Committee records the following observations.

- i. *Firstly*, the storeroom was situated within the official residential premises at 30, Tughlaq Crescent, New Delhi. It may have been physically separate from the main living area and used for storage, but it was not outside the premises allotted to and occupied by the Judge. The plea of shared access does not sever the room from the official residential establishment.
- ii. *Secondly*, the Judge's own statement that a locked liquor cabinet was kept in the storeroom is a relevant circumstance bearing upon the character of the room. It does not prove ownership of the currency notes, but it weakens the broad plea that the room was wholly outside his access, use, knowledge or effective control.
- iii. *Thirdly*, a fire occurred in the said storeroom on the night intervening 14.03.2025 and 15.03.2025. Fire service personnel and police personnel reached the spot in discharge of official duty. The Judge was not physically present at that time.

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- iv. *Fourthly*, several official witnesses from the Delhi Fire Services and Delhi Police saw substantial ₹500 denomination currency notes in burnt, half-burnt, wet or scattered condition inside the storeroom. Their evidence is mutually corroborative on the core fact of presence of currency notes.
- v. *Fifthly*, the electronic and photographic material, though not treated as the sole foundation of the finding, corroborates the oral testimony as to the place, condition of the storeroom, presence of fire personnel, and the visual material identified by witnesses.
- vi. *Sixthly*, the exact quantity of currency notes cannot be determined because no seizure, inventory, panchanama, counting, weighing or sampling was undertaken. The Committee therefore refrains from recording an exact amount. However, the evidence establishes substantial presence, not stray or insignificant material.
- vii. *Seventhly*, the failure to seize, inventory, sample or preserve the currency notes is a material lapse. It affects exact quantification and physical verification. It does not, however, displace the evidence of independent officials who saw and identified the material as ₹500 denomination Indian currency notes.

- viii. *Eighthly*, the Judge's earliest explanation dated 22.03.2025 was one of broad denial: denial of knowledge, denial of placement by him or his family, denial that cash or currency notes was seen by household members or staff after the fire, and denial of removal by staff. The subsequent stand, including the stand reflected in Writ Petition (Civil) No. 699 of 2025 marked as **Exhibit P-4**, did not deny discovery of burnt currency notes, but shifted emphasis to non-seizure, non-preservation, absence of panchanama, lack of quantification and absence of proof connecting the currency notes to the Judge.
- ix. *Ninthly*, the response dated 06.05.2025, as noticed in **Exhibit P-4**, sought reconsideration of the communication dated 04.05.2025, further time to submit a representation, and expressed inability to resign or seek voluntary retirement on the ground that such a course could imply acquiescence to a process and outcome considered unjust. It did not furnish any concrete explanation as to the source, ownership, presence or later non-availability of the currency notes.
- x. *Tenthly*, the defence of conspiracy, planting, fake currency notes, staff involvement and first responder removal remained unsupported by any affirmative material. No person was identified as having planted the currency notes. No credible

source or owner was disclosed. No material was placed to show that any fire or police official removed the currency notes. The suggestions put in cross-examination were denied.

- xi. *Eleventhly*,** the later non-availability of the currency notes remains unexplained. The scene was not preserved. The storeroom was not sealed. Cleaning activity occurred after the first responders had left. PW-9, Shri C.G. Rawat, placed Shri Rajinder Singh Karki and Mohd. Rahil near the storeroom and thereafter engaged in cleaning work; he also stated that when he offered help, Rahil asked him to go and do his duty. This circumstance does not by itself prove removal by any named person, but it sharpens the unexplained interval between the presence of currency notes seen by officials and its later non-availability. The admission of the Judge that the he was in touch with Shri Karki and Mohd. Rahil on the night of the fire incident and the eyewitness evidence of PW-9 taken together are circumstantial evidences leading to the conclusion that the Judge caused interference with the material evidence and that the Judge did not take any step to secure or preserve the material evidence while the premises was under his control. This is also dereliction of duty.

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- xii. *Twelfthly*, the Judge having raised positive factual pleas, including private inquiries, staff suspicion, planting, foul play, fake currency notes and possible removal by first responders, did not lead defence evidence in support thereof. No list of defence witnesses was filed. No affidavit in lieu of examination-in-chief was furnished. No member of the household, personal office, staff or security establishment was sought to be examined.
- xiii. *Thirteenthly*, the withdrawal from the proceedings is not treated as proof of any Article of Charge. Its significance is confined to the stage at which it occurred. The presenting side had already led its evidence; witnesses had been cross-examined; exhibits had been marked; and the matter had reached the stage of defence evidence. The withdrawal left unanswered those matters which the Judge or witnesses from his side were best placed to explain.
- xiv. *Fourteenthly*, the cumulative record therefore establishes the presence of substantial currency notes within the official premises, failure to satisfactorily explain its presence, failure to preserve the material, later non-availability of the currency notes, and absence of any substantiated defence capable of displacing the evidence led before the Committee.

244. These findings provide the factual foundation upon which the Articles of Charge must now be considered separately. The Committee therefore proceeds to record its findings on each charge.

12 FINDINGS ON ARTICLES OF CHARGE

245. Having appreciated the evidence issue-wise, the Committee now proceeds to record its findings on the Articles of Charge framed against the Judge. The charges, as communicated in Form I, are threefold: *firstly*, discovery and possession of unexplained Indian currency notes within official premises; *secondly*, failure to preserve and causing interference with material evidence; and *thirdly*, furnishing evasive and misleading explanations. The statement of grounds accompanying the charges records the occurrence of fire, discovery of cash, location of the storeroom within the Government-allotted residence, the alleged conduct after the fire, and the explanation offered by the Judge.
246. The Committee is conscious that the three charges, though separately framed, arise out of one connected sequence of events. The evidence already appreciated is therefore not repeated in full under each charge. The findings below proceed on the factual discussion and conclusions recorded in detail in Paragraph Nos. 107 to 244, namely: that substantial amount of ₹500 denomination currency notes were seen inside the storeroom; that the storeroom was situated within the official residential premises over which the Judge had effective control; that exact quantification is not possible due to the circumstances recorded herein above; that the scene was not preserved; that the later non-availability of the currency notes remains

unexplained; and that the explanations furnished by the Judge do not at all displace the materials on record.

12.1 FINDING ON ARTICLE I

12.1.1 DISCOVERY AND POSSESSION OF UNEXPLAINED INDIAN CURRENCY WITHIN OFFICIAL PREMISES

247. Article I alleges that, on or about the night intervening 14.03.2025 and 15.03.2025, substantial undeclared Indian currency notes was found in the storeroom within the secured residential premises under the occupation and control of the Judge at 30, Tughlaq Crescent, New Delhi; that the Judge failed to disclose or explain the lawful source or ownership of such currency notes; and that such possession and non-disclosure, being within the official premises under his charge, control, knowledge and accountability, was inconsistent with the standards of probity, integrity and rectitude expected of a Judge of the higher judiciary.

248. The first component of Article I is the presence of substantial currency notes in the storeroom. For the reasons already recorded, this fact stands established. Several official witnesses from the Delhi Fire Services and Delhi Police, who reached the premises in discharge of official duty, spoke about the presence of burnt, half-burnt, wet or scattered ₹500 denomination currency notes inside the storeroom. Their evidence is not solitary. It is

mutually corroborative. It is also supported, in material particulars, by the electronic and photographic record identified during the inquiry.

249. The Committee has already recorded that on account of the failure to seize the currency notes or to prepare an inventory or to draw a panchnama and preserve sample notes, it is not possible to determine the exact amount of currency found inside the storeroom. However, the absence of exact quantification does not dilute the core finding that the currency notes present in the storeroom were huge and substantial. The evidence is not of a few stray notes or isolated remnants. It is of bundles, heaps and stacks of ₹500 denomination of Indian currency notes seen in burnt, half-burnt, wet and scattered condition within the storeroom. As the material brought on record reveal that no seizure of the currency notes or any inventory was prepared by the policemen or the fire brigade personnel under certain apprehension and under the impression that an official complaint would be made, as the scene of occurrence was within the official bungalow of a sitting judge. The same is supported by the testimony of PW-7 / Roop Chand, wherein he deposed that *"I state that the money found at the place of fire was unimaginable and an ordinary person like me could not have thought of it in dreams also. The amount of five lakhs is too small. When the fire was doused and being cleared, the bundles of five hundred currency notes were found all over"*. ✈

250. The evidence of the witnesses, read cumulatively, leaves no room to treat the material seen as insignificant. PW-2, Shri Ankit Sehwal, deposed that he saw bundles of ₹500 notes spread over an area of about seven to eight feet from the entrance door, and had earlier stated that a large number of such notes were half-burnt, wet and singed by fire. PW-4, Shri Bhanwar Singh, spoke of bundles near the entrance and similar burnt and half-burnt bundles scattered throughout the room; in Exhibit P-100, he described a large pile of ₹500 denomination cash and stated that he had never seen such an incident in his firefighting career. PW-5, Shri Pravindra Malik, stated in Exhibit P-105 that currency notes were spread from the door till the end of the room and that he had never seen so much money in his life. PW-6, Shri Sunil Kumar, Head Constable, PCR, stated that he saw heaps of ₹500 notes, partly burnt, fully burnt and some unburnt, lying on the floor, and that he recorded and forwarded videos to his superior. PW-7, Shri Roop Chand, when asked in cross-examination whether the amount was above five lakhs, stated that five lakhs was "too small" and that the amount was much more. PW-8, Shri Umesh Malik, SHO, deposed in Exhibit P-114 that he saw heaps of bundles of burnt and half-burnt ₹500 notes lying on the floor from the door up to the opposite wall and also stacked on a ledge; in Exhibit P-115, he referred to stacks of half-burnt currency lying on the floor and on the ledge, some tied in bundles and others opened up due to the pressure of water. The oral evidence, read with the videos and photographs, establishes

that the quantity of burnt and semi-burnt currency notes was substantial, conspicuous and far beyond a stray or negligible presence.

251. The second component concerns the location and character of the storeroom.

The Judge has consistently contended that the storeroom was detached from the main living area, was near the staff/security quarters, was used for storage of old household articles, and was accessible to staff, CPWD personnel and others. The Committee has considered this defence. The storeroom was not a part of the inner residential quarters. It was used as a storeroom and not as a living space. It abuts the lawn behind the bungalow and has a gate with direct access to the storeroom from the bungalow. Admittedly, the storeroom was not used to store any materials of daily use.

252. However, Article I does not require the Committee to find that the currency notes was found in the bedroom or drawing room of the Judge. The material question is whether the storeroom was within the official premises allotted to and occupied by him. On the record, it was. The storeroom was not outside the compound. It was not under the independent occupation of a stranger. It formed part of the official residential establishment at 30, Tughlaq Crescent, New Delhi. It was under his control and possession.

253. The plea of shared access does not answer the charge. Access by servants, security personnel, gardeners, maintenance staff or CPWD personnel for limited purposes may bear upon the question whether the Judge had exclusive physical custody of the storeroom. It does not convert a storeroom

within the official residence of a Judge into an unregulated public space. Nor does it explain how substantial currency notes came to be present therein.

254. The Judge, in his Statement of Defence, denied that the compound or storeroom was under his occupation, control, charge, knowledge or accountability. He asserted that the compound had distinct areas; that only the family quarters were under his occupation and control; that the storeroom was located on the compound but was not under his possession or control; that he did not lock it before his departure; and that he was unaware of any cash being placed there.

255. The said defence also requires to be tested against the Judge's own statement that a liquor cabinet was kept in the storeroom and that the said liquor cabinet used to remain locked. [Statement of Defence dated 12.01.2026, pg. 9]. This circumstance is not noticed for the nature of the article stored, but for what it indicates about the character of the room and the Judge's own use of it. A locked cabinet containing personal articles is not ordinarily maintained in a space which is wholly unregulated, wholly outside the knowledge of the occupant, or wholly beyond his effective control.

256. The presence of such a cabinet, and the Judge's own assertion that it was kept locked, materially weakens the plea that the storeroom was merely an open, freely accessible and uncontrolled space near the staff quarters. It indicates that, notwithstanding access by staff or maintenance personnel for limited purposes, the room was not alien to the Judge's residential

establishment. It was a space within the official premises which was capable of being used for keeping articles under his lock and key.

257. The Committee does not infer from this circumstance that the currency notes belonged to the Judge. Nor does it treat the existence of a locked liquor cabinet as proof of possession of currency notes. Its relevance is narrower but significant. It answers the defence that the room was outside the Judge's knowledge, use or effective control. If the room was sufficiently connected with the Judge's establishment to keep a locked personal cabinet, the plea that the Judge had no effective control over the room cannot be accepted in the broad manner in which it is advanced.

258. The plea of shared access, therefore, cannot be elevated into a plea of absence of control. At the highest, it shows that others may also have had access to the room. The other persons if any, could have accessed the storeroom only under his command. It does not also show that the Judge had no access, no use, no knowledge of the room, or no institutional responsibility over it. The defence based on lack of control is accordingly rejected.

259. The Committee is unable to accept the said defence as a satisfactory answer to Article I. The inquiry is not concerned with strict penal possession in the sense in which that expression may arise in a criminal prosecution. The question is one of institutional control and accountability over official premises. When substantial unexplained currency notes are found in a room

situated within such premises, the constitutional functionary in occupation of the premises cannot answer the matter merely by stating that the room was not part of his living quarters or that others could also access it.

260. The third component of Article I is failure to disclose or explain the lawful source or ownership of the currency notes. In his reply dated 22.03.2025, the Judge stated that he was never aware of any money or cash lying in the outhouse storeroom; that neither he nor any member of his family had knowledge of cash; that no such cash or currency notes had been shown to his family members or staff; that the question of explaining the source did not arise; and that he rejected any insinuation of removal of currency notes from the storeroom. However, he failed to enter the box and say so on oath and did not face cross examination. Hence adverse inference has to be drawn against him. In this connection, we wish to point out that in this case, the learned Judge having participated in the proceedings upto completion of evidence in proof of charges and after seeking time to produce evidence on his behalf, suddenly decided to withdraw from the proceedings and made it clear that he will not participate in the proceedings any more. Thus, he has failed to co-operate with the Committee in its proceedings.

261. In the later Statement of Defence, the Judge maintained that he had no obligation to disclose or explain the lawful source or ownership of such currency notes because such obligation could arise only for items owned, possessed, controlled or known to him. He further stated that if any currency

notes were placed in the storeroom, it was without his knowledge, consent or involvement, and that the failure to ascertain who placed the currency, when, how, how much and why could not be attributed to him.

262. The Committee has considered the said defence with care. The Judge was undoubtedly entitled to say that the currency notes did not belong to him and that he had no knowledge of it. But where substantial currency notes are found within official premises under his institutional charge, the explanation expected is not exhausted by a bare denial. The explanation must reasonably engage with the presence of currency notes, its possible source, the persons who had access, the circumstances in which it could have been placed, and the steps taken to ascertain the truth after the fact came to light.

263. No such satisfactory explanation has been furnished. The defence of conspiracy or planting remains unsubstantiated. No person has been identified. No occasion of entry has been established. No material has been produced to show how such substantial currency notes could have been brought into the premises without detection. No credible alternative source or owner has been disclosed. The plea remains at the level of possibility.

264. The Committee is not recording a finding of direct personal ownership of the currency notes in the criminal sense. Nor is it necessary to do so for the purpose of Article I. What stands established is that substantial unexplained currency notes were found within the official premises occupied by the Judge; that the storeroom formed part of those premises; and that the Judge

failed to furnish a satisfactory explanation regarding its presence, source or ownership.

265. The charge under Article I is therefore proved. The proof rests on presence of substantial currency notes within official premises, effective control over the premises, absence of satisfactory explanation, and failure to account for the source or ownership of the currency notes. The defence of his absence from the scene of occurrence, shared access and non-ownership does not displace the charge.

12.2 FINDING ON ARTICLE II

12.2.1 FAILURE TO PRESERVE AND CAUSING INTERFERENCE WITH MATERIAL EVIDENCE

266. Article II alleges that subsequent to extinguishment of the fire, and before lawful inspection and sealing by competent authorities, material objects and surroundings at the scene were altered or removed while the premises were under the control of the Judge; and that the failure to ensure that material evidence was secured or preserved, and acquiescence in its disturbance or removal, amounted to dereliction of institutional duty and obstruction of due process.

267. This charge has to be approached with care. It contains more than one element. It refers to alteration or removal of material objects and surroundings; failure to secure or preserve material evidence; acquiescence

in disturbance or removal; and dereliction of institutional duty. It is not necessary, for the purposes of this charge, to prove that the Judge personally carried away any material object. The charge is wide enough to include failure to preserve and acquiescence in disturbance or removal of material evidence within premises under his institutional charge.

268. The Judge's defence to Article II is that he was absent from the premises on the night intervening 14.03.2025 and 15.03.2025; that the charge does not identify any person who altered, disturbed or removed material objects; that there is no material to show the state of the storeroom when fire and police officials left; that the site was under police custody before any currency notes were allegedly discovered; that he had no knowledge of any act of removal; and that without knowledge, acquiescence is impossible.

269. The Judge further denied any responsibility for alteration or removal of evidence, whether based on involvement, acquiescence, knowledge or failure to preserve. He asserted that he had no reason, up to the early hours of 15.03.2025, to believe that any evidence required preservation and that any such event, if it occurred, happened in his absence and without his knowledge.

270. The Committee accepts that the Judge was not physically present when the fire broke out and when the first responders reached the premises. It also accepts that fire and police officials, once present, were expected to perform their own duties in accordance with law. Their failure to seize, inventorise

or preserve the currency notes was a serious lapse. The Committee has already recorded that the first response was deficient in preservation. But the Judge who was aware of the whole incident and was in touch with his daughter, Mohd. Rahil and PS Rajinder Singh Karki does not say that he took any step in the matter, or asked for seizure of currency notes and preparation of inventory. He also does not say that he lodged any report or insisted on any police report being lodged. His whole defence is false and adds to grave suspicion against him.

271. But the matter does not end there. The material object in question was not an ordinary burnt household article. It was substantial currency notes seen inside the storeroom. Once such material was seen, and once the room and its contents formed part of the official premises, the scene acquired obvious evidentiary significance. It ought to have been preserved.

272. The evidence of PW-9, Shri C.G. Rawat, becomes material in this context. His affidavit records that after the fire had been extinguished, he saw household staff and Shri Rajinder Singh Karki present near the store; that when he asked if he could offer help, Rahil told him to go and do his duty at the gate; that after his duty, while returning to his barrack, he again passed the storeroom and saw Shri Karki and Mohd. Rahil still engaged in cleaning work; and that in the morning burnt household articles had been kept outside and the cleaning work was finished.

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273. In cross-examination, PW-9 denied the suggestion that he had falsely deposed about seeing household staff and Shri Karki near the store, and also denied that he had falsely deposed that Shri Karki and Mohd. Rahil were still engaged in cleaning work around 3:00 a.m. He further stated that he had not prepared any report to his superior officers and that he had joined duty only a few days prior to the incident and was not aware of general protocols relating to the premises or the system of locking and unlocking the storeroom.
274. The defence has contended that cleaning after a fire is not, by itself, suspicious; that no witness saw cash being removed during the cleaning; and that neither the family nor staff were instructed by officials to refrain from cleaning. The Committee has considered this submission. In an ordinary fire incident, clearing of debris may be an ordinary act. But where substantial currency notes has been seen by several officials in the very debris of the burnt storeroom, any cleaning or alteration of the scene assumes a different character.
275. The currency was seen. It was not preserved. The storeroom was not sealed immediately. Cleaning activity occurred after the first responders had left. The material was not later available. No satisfactory explanation has been furnished as to how currency notes seen by several official witnesses disappeared or became unavailable. These facts establish failure to preserve and disturbance of material evidence. It is admitted that the Judge was in

touch with not only his daughter but also Shri Karki and Mohd. Rahil. The inference is that they have acted at the instance of the Judge under his instructions.

276. The Judge has placed responsibility on fire and police officials. The premises remained the official residence of the Judge. The persons seen near the store and engaged in cleaning work were not strangers to the premises. Shri Rajinder Singh Karki was the Private Secretary of the Judge and Mohd. Rahil was part of the household staff establishment and a confidant of the Judge. Their conduct in relation to the storeroom is not irrelevant to the institutional responsibility attaching to the premises.

277. The Committee therefore records that Article II is proved, though the finding is framed with precision. What stands proved is failure to secure and preserve material evidence, disturbance and alteration of the evidentiary condition of the storeroom before lawful sealing and inspection, and unexplained non-availability of the material thereafter. The Committee does not rest its finding on direct proof that the Judge personally removed the currency notes. It rests upon failure to preserve, acquiescence in disturbance of the scene through the establishment under his authority, and the resulting loss of material evidence.

278. Article II is accordingly proved. ✓

12.3 FINDING ON ARTICLE III

12.3.1 EVASIVE AND MISLEADING EXPLANATIONS / STATEMENTS FURNISHED

279. Article III alleges that when called upon to explain the circumstances surrounding the discovery of a huge amount of cash and the incident, the Judge, by an evasive explanation, denied the same; that such denial stands contradicted by the evidence of independent officials and photographic/video records; and that he thereby failed to exhibit the candour, transparency and sense of responsibility incumbent upon a constitutional functionary.
280. The Judge's defence to Article III is that the charge does not specify which portion of his statement is evasive or misleading; that his explanation dated 22.03.2025 was a bona fide reflection of his personal knowledge and information available to him; that he did not deny the observations of others; and that even if his version is not believed, it does not become evasive or misleading unless it is shown to be false to his knowledge.
281. The Committee has considered this defence. The inquiry is not concerned with attaching criminal liability for a false statement. The question is whether the explanation furnished by the Judge, in the face of the material then available and in the circumstances in which it was sought, satisfied the standard of candour, transparency and responsibility expected of a constitutional functionary.

282. The communication dated 21.03.2025 sought from the Judge a response to three direct questions: how he accounted for the presence of money or cash in the room located in his premises; what was the source of such money or cash; and who removed the burnt money or cash from the room in the morning of 15.03.2025. These questions were not vague or exploratory. They arose from reports, photographs and videos already placed before the constitutional authorities.
283. In his reply dated 22.03.2025, the Judge did not merely deny ownership or personal knowledge. He stated that he was never aware of any money or cash lying in the outhouse storeroom; that neither he nor any member of his family had knowledge of cash; that no such cash or currency notes were shown to his family members or staff; that after the fire was doused no cash or currency notes were seen by members of the household or staff; that the question of explaining the source did not arise; and that neither he nor his staff had removed any article, currency notes or cash in any form. Thus, the earliest answer was a broad denial of knowledge, placement, presence after dousing, source and removal.
284. The subsequent stand, however, did not remain at that point. In the comprehensive statement dated 30.04.2025, the Judge challenged the absence of seizure, panchanama, inventory and quantification, and treated the subsequent cleaning activity as routine cleaning of a fire-ravaged site, contending that such activity could not be equated with removal of burnt or

half-burnt currency notes. In the writ petition filed by him, the presence of cash came to be treated on a different footing, the emphasis being on the alleged failure of the authorities to seize, preserve or lawfully document the material. The writ petition, filed on oath, treated presence of cash as non-contentious while attacking proof of ownership, quantity, genuineness, placement and removal.

285. This progression is material. The earliest reply was not merely "I do not know". It also asserted that no cash was seen by family or staff after the fire and that no staff member had removed any article, currency notes or cash. Later, the defence shifted to non-seizure, absence of quantification, electronic deficiencies, first responder handling, conspiracy, planting, and possible staff involvement. Such expansion of defence may be permissible as a matter of legal strategy, but it cannot substitute a candid factual explanation.
286. The explanation regarding cleaning assumes particular significance. The evidence of PW-9, Shri C.G. Rawat, places Shri Rajinder Singh Karki and Mohd. Rahil near the storeroom after the fire had been extinguished; records that when PW-9 offered help, Rahil told him to go and do his duty at the gate; and further records that when PW-9 again passed by the storeroom, Shri Karki and Mohd. Rahil were still engaged in cleaning work. The existing finding on Article II already notices that Shri Karki was the Private

Secretary of the Judge and Mohd. Rahil formed part of the household staff establishment.

287. This circumstance does not, by itself, prove physical removal of currency notes by any named person. However, it directly bears upon Article III. Once the Judge had asserted that no currency notes was seen by household or staff after dousing, and later characterised the cleaning as routine removal of debris, the contents of his interaction with Shri Karki, Mohd. Rahil, members of his household, personal office and staff became material. If, as stated in the Statement of Defence dated 12.01.2026, the Judge had spoken to Shri Karki and Mohd. Rahil around 2:00 a.m., then what was stated to him, what inquiries were made, what he asked them, what answers were received, and why the site was not secured thereafter were matters peculiarly within the knowledge of the Judge or of persons associated with his establishment. These questions are not answered by the Judge, nor he examined Shri Karki and Mohd. Rahil in defence. Hence, an adverse inference has to be drawn against the Judge.

288. The omission to substantiate these matters is not a mere procedural omission. No member of the household, personal office, staff or security establishment was examined in defence. No application was moved to summon Shri Karki, Mohd. Rahil or any other person on behalf of the Judge. No material was placed to show that any complaint or FIR, including a complaint alleging planting, theft, removal, tampering or foul play, had been

lodged after the Judge had himself expressed suspicion of conspiracy. The plea of conspiracy, staff involvement or first-responder removal therefore remained an assertion, not an explanation.

289. During cross-examination, suggestions were put that the fire and police officials have removed it. Those suggestions were denied. More importantly, the suggestions themselves demonstrate the changing character of the defence. The defence moved from denial of presence, to absence of seizure and verification, to possible fake currency notes, to possible removal by first responders, and to suspicions regarding staff. Each of these hypotheses required some factual foundation if it was to displace the evidence of independent official witnesses and the corroborative electronic material. Viewed in the above context, the defence of the Judge coming in the cross examination is not one of total denial of huge quantity of the currency notes found in the storeroom. Rather, he admits such facts and proceeds to cross examine the witnesses suggesting them that they removed the currency notes and misappropriated the same.

290. The Committee is conscious that the Judge was not required to prove his innocence in the abstract. However, where positive factual pleas were raised by him, namely conspiracy, planting, staff involvement, foul play, fake currency notes or removal by public officials, the Committee could not be expected to accept such pleas without material. The presenting side had led its evidence. Nine witnesses had been examined. Documents and electronic



material had been marked. Cross-examination had been fully availed of. The matter had thereafter reached the stage of defence evidence. Yet no list of defence witnesses or affidavits in lieu of examination-in-chief were filed.

291. The withdrawal from the proceedings is not treated by the Committee as proof of Article III. Its significance is narrower but real. The withdrawal occurred at the stage when the Judge could have placed his positive factual explanation on record. Having raised suspicions, referred to inquiries, challenged the role of staff and first responders, and suggested alternate theories, he did not lead evidence to substantiate them. The result is that the established facts remained unanswered by the very persons from whose side an explanation could have come.

292. The Committee therefore finds that the explanation furnished by the Judge was evasive, incomplete and misleading in effect. It was evasive because it did not engage with the central circumstance of substantial currency notes seen by independent officials inside the storeroom. It was incomplete because it did not disclose the factual steps allegedly taken by him, the details of inquiries made, the answers received from staff or household members, or any action taken to preserve the site or complain of foul play. It was misleading in effect because the earliest broad denial gave way to successive alternative hypotheses, none of which was substantiated when opportunity to lead defence evidence was available.

293. Article III is accordingly proved. 

13 CONSOLIDATED FINDING ON THE ARTICLES OF CHARGE

294. In view of the foregoing discussion, the Committee records its findings as follows:

295. *Article I is proved.* Substantial unexplained ₹500 denomination currency notes were found in the storeroom situated within the official residential premises at 30, Tughlaq Crescent, New Delhi. The Judge failed to furnish a satisfactory explanation regarding the presence, source or ownership thereof.

296. *Article II is proved* that material evidence was not secured or preserved; the evidentiary condition of the storeroom was disturbed before lawful sealing and inspection; and the later non-availability of the currency notes remains unexplained. The finding rests on failure to preserve, acquiescence in disturbance through the establishment attached to the premises, and resulting loss of material evidence, and not upon proof of personal physical removal by the Judge.

297. *Article III is proved.* The explanation furnished by the Judge, particularly the reply dated 22.03.2025 and the subsequent stand taken, did not exhibit the candour, transparency and institutional responsibility expected in the circumstances. It remained evasive and unsatisfactory when tested against the evidence of independent official witnesses and corroborative material.



298. The Committee therefore records its final findings that Articles of Charges I, II & III are proved.

299. The Committee accordingly submits this Report, together with the record of proceedings, documents, exhibits and material forming part of the inquiry, for such further action as may be considered in accordance with law.

ACKNOWLEDGEMENT

This Report would be incomplete without acknowledging the services received from various quarters to all of whom the Committee expresses its deep gratitude. The Committee expresses its sincere gratitude to the Hon'ble Chief Justice of India for providing the services of Sriyuths Manish Sethi, Chetan Kumar, Ankush Sharma, Avinash Prajapati, Mitesh who have painstakingly discharged their duties with utmost sincerity, and also for ensuring the availability of the voluminous records during the course of the Inquiry. The Committee further expresses its gratitude to the Registry of the Supreme Court of India for providing the available records for the purposes of the Inquiry whenever sought.

The role of the advocates who have appeared on behalf of both sides requires acknowledgment, as their conduct and assistance were not only exemplary but also effective. The Inquiry Committee is indebted to the learned Senior Advocates Shri Sidharth Luthra, Shri Siddharth Aggarwal, and the young advocates who ably assisted them. The Committee also expresses its indebtedness to Ms.

Aishwarya Bhati and Shri Rajakumar Bhaskar Thakare, learned Senior Advocates and Additional Solicitor Generals of India appointed under the Act, and to the young advocates who assisted them.

The Committee further records its appreciation for the assistance rendered by the Consultant Advocates, Shri Karan Umesh Salvi and Ms. Sameeksha Dua, who assisted the Committee and the Secretariat throughout the inquiry in matters relating to the proceedings, record and such other work as was entrusted from time to time. The Committee acknowledges the diligence, commitment and responsibility with which they discharged their duties.

Every one of them fully cooperated with the Committee throughout the proceedings, both in recording the depositions and their assistance at all stages of the Inquiry was immense.

The Committee also considers it appropriate to place on record its deep appreciation for the invaluable assistance rendered by Shri Ganapati Bhat, Secretary of the Committee, who has, from the very inception of these proceedings, discharged his responsibilities with diligence and unwavering commitment. The establishment of the Committee's courtroom, the provision of meeting facilities, and the creation of the necessary secretarial infrastructure within the prescribed timelines and to the expected standards reflect the level of administrative efficiency and dedication that merits acknowledgment. Several

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virtual meetings were efficiently handled by him. It cannot go unnoticed that the handling, organising, securing, and management of the sensitive and voluminous material, including electronic records of considerable complexity, were carried out by the team headed by him and ably supported by Shri Murleedharan P., Director of the Committee in association with the staff with meticulous care and precision, ensuring that the proceedings remained firmly anchored without compromising integrity at any time.

The Inquiry Committee also wishes to place on record its deepest thanks to the entire staff, namely Shri Rajesh Chopra, Shri Vishal Rajput, Shri Rajender Singh, Shri Ajay Kumar Swain, Shri Ajay Kumar Panchal, Shri V. Ranganathan, Shri Karan Karautiya, Shri Subay Singh Meena and Shri Rajesh Kumar for their assistance throughout these proceedings.

File 18/05/2026

Presiding Officer
(Justice Aravind Kumar)
Judge, Supreme Court of India

Shree Chandrashekhar

Member
(Justice Shree Chandrashekhar)
Chief Justice of the
Bombay High Court



B.V. Acharya

Member
(B.V. Acharya)
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VOLUME 2
ANNEXURE 'A'

**MEETINGS OF THE JIC,
INTERIM APPLICATIONS,
ORDERS ON INTERIM APPLICATIONS,
AND PROCEEDINGS OF THE JIC.**



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1 COMMENCEMENT OF MEETINGS OF THE COMMITTEE

1. During the course of the inquiry, the Committee convened meetings at successive stages for the purpose of organising its proceedings, securing and examining the material placed before it, addressing communications received from the Judge, and issuing such directions as were considered necessary for the orderly conduct of the inquiry. The record of these meetings indicates that the proceedings were regulated with due regard to the statutory framework governing the inquiry, the requirements of fairness, and the necessity of affording reasonable opportunity at every stage to the Judge concerned.
2. This annexure, records the course of proceedings encompassing the framing and communication of charges, the responses received, the procedural directions issued, and the steps taken to regulate the inquiry in accordance with the Act.

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1.1 FIRST MEETING – 17.09.2025

3. At its first meeting held on 17.09.2025, the Committee, upon its constitution, addressed the foundational requirements necessary for the orderly commencement of the inquiry. The Presiding Officer apprised the Members of the steps undertaken towards establishing the functional framework of the Committee, including efforts made for securing suitable accommodation, appointment of the Secretary, officers and staff, and engagement of counsel to assist the Committee in the discharge of its functions. The deliberations at this stage were directed towards ensuring that the proceedings would be conducted within an organised and structured setting, consistent with the nature of the inquiry entrusted to the Committee.
4. The Committee thereafter deliberated upon the scope of material required for a complete and effective inquiry, particularly the necessity of securing not only the material already available but also such records as had been considered in the earlier In-House process, as well as those available with the Supreme Court of India. It was accordingly resolved that the Secretary of the Committee shall liaise with the Secretary General of the Supreme Court to obtain all such records and material. The Committee was thus at this stage engaged in ensuring that the inquiry proceeds on a comprehensive and properly collated record, so that the subsequent stages of consideration rest upon a sound evidentiary foundation.

1.2 SECOND MEETING – 15.10.2025

5. At its second meeting held on 15.10.2025, the Committee proceeded to further organise the inquiry by strengthening the framework for legal and evidentiary assistance. The Committee was apprised of the appointment of Smt. Aishwarya Bhati, learned Additional Solicitor General of India, in terms of Section 3(9) of the Judges (Inquiry) Act, 1968, to assist the Committee in the conduct of the proceedings. This appointment was noted in furtherance of ensuring that the inquiry is conducted with the benefit of appropriate legal assistance within the statutory framework.

1.3 THIRD MEETING – 23.11.2025

6. At its third meeting held on 23.11.2025, the Committee proceeded to examine in detail the material that had been secured, including voluminous documentary and electronic records. Having regard to the nature and extent of the digital material, the Committee considered it necessary to ensure that the process of access, opening and perusal of such data was undertaken in a secure and controlled manner. For this purpose, the presence of Shri Akhlesh Kumar, Deputy Director, CFSL Chandigarh, was secured so as to facilitate safe handling of the electronic records and to preserve their integrity during examination.

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7. The Committee further addressed the question of preservation and management of the electronic data. With a view to obviate any possibility of tampering or manipulation, it was resolved that such digital material as was referred to and examined by the Committee be copied under expert supervision into multiple secure sets and placed in the custody of the Secretary of the Committee. At the same time, the Committee was conscious that the electronic records included photographs and video material pertaining to various individuals and devices, and that the inquiry ought not to extend beyond what was strictly necessary. It was accordingly resolved that only such material as bore relevance to the intervening night in question and to the incident under inquiry be extracted and retained, so as to ensure that the proceedings remained confined to matters germane to the inquiry.

1.4 FRAMING OF CHARGES BY THE JIC:

8. Upon a consideration of the material so examined and curated, and upon deliberation thereon, the Committee formed the view that the circumstances disclosed required to be articulated in the form of specific charges. The Committee accordingly resolved to frame Articles of Charge against the Judge and to communicate the same, together with the

statement of grounds, the list of documents relied upon, and the list of witnesses, in the prescribed Form I under the Judges (Inquiry) Act, 1968.

9. Broadly the Committee while apprising the Judge informed him that a motion for presenting an address to the President for his removal from the office as a Judge of the High Court at Allahabad (presently) and formerly Judge, High Court of Delhi, came to be admitted by the Speaker of the House of the People. He was further informed that the Speaker had constituted the JIC for the purpose of making an investigation into the grounds on which his removal was prayed for.
10. Accordingly, he was informed of the charges that were framed against him on the basis of which the investigation was proposed to be held.
11. Pursuant to the framing of the charges, the Committee had informed and requested the Judge to appear before the Committee in person or by a legal practitioner duly instructed and able to answer all material questions relating to the inquiry on 05.01.2026 at the Western Court Second Floor, Janpath New Delhi. In the said communication it was also expressly mentioned that the day fixed for his appearance is appointed for the final disposal of the charges levelled against him and he was further requested to produce all witnesses upon whose evidence he would rely on and a list of documents upon which he intended to rely in support of his defence. He was also informed that in default of his absence the investigation into the

grounds would continue in his absence. This communication was made on 26.11.2025.

1.5 FOURTH MEETING – 05.12.2025

12. At its fourth meeting held on 05.12.2025, the Committee considered the communication dated 04.12.2025 received from the Judge, whereby he acknowledged the receipt of the aforesaid notice (Form I) along with its annexures (total 19 pages) on 27.11.2025. In this communication addressed by the Judge, he stated that the constitution of this Committee by the Speaker of the House of the People alone rendered it invalid and contrary to the mandate of the first proviso to Section 3(2) of the Act.

13. He also mentioned that said communication was addressed without prejudice to his rights to question the action of the Speaker in accordance with law. The said letter further went on to make certain requests which he sought consideration of, namely, he sought supply of relied upon material and mentioned thereunder that certain documents which formed part of the list of relied upon documents by the Committee contained certain enclosures and annexures within those documents and he was not provided with the same. He also mentioned that he undertakes to provide a list of any discrepancies in said documents and requested for clear, legible and paginated copies of the record available.

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14. Further he also requested for a supply of the copy of the procedure which was to be adopted by this Committee. Finally, he further sought for extension of time to submit his written statement owing to the fact that the previous notice required him to submit his written defence by 21.12.2025. Accordingly, he sought for an extension for a period of six weeks from the date on which he would receive the complete record and details of the procedure.

15. The Committee, upon due deliberation, resolved to address the communication in its entirety. It was considered appropriate that the concerns raised by the Judge be responded to in a structured manner, consistent with the requirements of the statutory framework and the principles governing the conduct of the inquiry. A draft reply was accordingly prepared, deliberated upon, and approved by the Members of the Committee

16. On 06.12.2025 a letter was addressed from the Presiding Officer, JIC to Justice Yashwant Varma regarding the supply of documents, procedure and extension of time. In its communication the committee had taken note of the Judge's request in its entirety and in response to the same the Committee furnished clear, legible and paginated copies of the documents which were inadvertently missed or were not legible, along with copies of the witness statements as were recorded by the In-House Committee for ensuring fair disclosure of all the relied upon material.

17. It is necessary to record here that, having due regard to the statutory framework and the time-bound nature of the inquiry, the Committee, at each stage of the proceedings, addressed the communications and requests received from the Judge with due expedition. All matters raised, including those pertaining to supply of material, clarification of procedure, and extension of time for submission of defence, were considered and responded to in a manner consistent with the requirements of fairness, so as to ensure that no prejudice was occasioned in the conduct of the proceedings.
18. In response to the procedural queries raised by the Judge, the Committee clarified that, in terms of Section 4(1) of the Judges (Inquiry) Act, 1968, it is vested with the authority to regulate its own procedure in the course of the investigation, subject to the obligation of affording a reasonable opportunity to the Judge, including the right to cross-examine witnesses, adduce evidence, and be heard in defence. It was further indicated that the procedure would be regulated by the Committee from stage to stage, having due regard to the nature of the material on record and the witnesses proposed to be examined, and that appropriate procedural directions would be issued as and when the exigencies of the inquiry so required.
19. Insofar as the request made by the Judge for extension of time to submit his written statement beyond 21.12.2025 is concerned, the same was duly considered, and an extension of three weeks was granted, permitting

submission of the written statement up to 12.01.2026. The Committee also, for reasons of administrative scheduling, rescheduled the date of appearance of the Judge to 24.01.2026, in supersession of the earlier intimation.

20. Along with the communication conveying the above, the Committee furnished to the Judge the entire material forming part of the record, comprising four volumes of documents (pages 1 to 1089), together with copies of the statements of witnesses recorded before the In-House Committee (pages 1 to 84), thereby ensuring that the Judge was placed in possession of the complete record for the purposes of preparing his defence.

1.6 FIFTH MEETING – 12.01.2026

21. On 27.12.2025, the Committee received a letter addressed from Shri Yashwant Varma informing that Writ Petition (Civil No. 1233 of 2025) was filed challenging the action of the Speaker of the Lok Sabha in unilaterally constituting this Committee on the ground that it violates the mandate of the first proviso to Section 3 (2) of the Judges' Inquiry Act, 1968. Additionally, in the letter dated 27.12.2025, he had also mentioned that certain documents received by him were incomplete, however, without mentioning the particulars thereof. Thereafter, on 12.01.2026 Justice

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Varma addressed a letter enclosing his statement of defence to the articles of charge contained in the notice dated 26.11.2025 i.e., Form I. The statement of defence is herein marked as Annexure B.

22. On 12.01.2026 convened its fifth meeting wherein the Judge's letter dated 27.12.2025 was perused and considered. Owing to the fact that the Judge in his letter had not furnished any material, nor any details thereof and subsequently in absence of such specific reference to the material, the Committee was unable to process the request for providing enclosures as alleged to have not been supplied. This was intimated to the Judge vide letter dated 12.01.2026 addressed from Shri Ganpati Bhat, Secretary, JIC to Justice Varma. It is also important to note that during the proceedings before the Supreme Court in Writ Petition (Civil No. 1233 of 2025) which was intimated by the Judge in his communication dated 27.12.2025, the Judge expressly sought for stay of the proceedings before this very Committee and such accommodation prayer/ request was completely denied. Hence the committee did not deem it necessary to halt the proceedings at any stage during the parallel pending proceedings before the Supreme Court.

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1.7 SIXTH MEETING – 19.01.2026.

23. At its sixth meeting held on 19.01.2026, the Committee took on record the judgment dated 16.01.2026 passed by the Supreme Court of India in Writ Petition (Civil) No. 1233 of 2025, whereby the challenge to the constitution of the Committee was declined. The Committee noted that there was no order restraining the continuation of the present proceedings and accordingly proceeded to consider the matter in continuation of the inquiry.
24. The Committee also took on record the statement of defence submitted by the Judge in response to the Articles of Charge. The said statement, together with the material already placed on record, including the Articles of Charge, the statement of grounds, and the documents and electronic records furnished along therewith, was considered in its entirety.
25. Upon such consideration, the Committee was not persuaded that the objections raised in the statement of defence warranted the dropping, modification, or deferment of the charges. The defence, in substance, raised issues of denial and contest which, in the view of the Committee, required evaluation upon evidence. The Committee was of the considered view that the stage then reached was not one for a conclusive determination of the issues raised, but for examining whether the inquiry ought to proceed further. ✖

26. The Committee accordingly determined that the issues arising from the Articles of Charge could not be satisfactorily resolved at the threshold and that a fuller inquiry, involving the recording of evidence, was necessary. The Committee was conscious that the scheme of the Act and the Rules does not contemplate an intermediate stage of oral hearing for adjudication upon the sufficiency of charges, once the Judge has been served with the charges and has submitted his statement of defence. The objections so raised were, therefore, taken into consideration at this stage, but did not warrant cessation or alteration of the inquiry.
27. Having so determined, the Committee proceeded to formulate the procedure to regulate the conduct of the inquiry. In doing so, the Committee acted in exercise of its authority under Section 4(1) of the Judges (Inquiry) Act, 1968, which vests in it the power to regulate its own procedure, subject to affording a reasonable opportunity to the Judge.
28. It was accordingly resolved that the proceedings would be held in camera, having regard to the nature of the material and the institutional sensitivity of the inquiry, while permitting the presence of the advocates appointed under the Act as well as authorised representatives of the Judge, subject to appropriate restrictions on disclosure.
29. The Committee further resolved that the parties would be afforded an opportunity to admit or deny documents placed on record. Insofar as the recording of evidence is concerned, it was decided that the examination-

in-chief of witnesses shall, as far as practicable, be received by way of affidavit, copies whereof would be furnished in advance. At the same time, the right of cross-examination of witnesses was expressly preserved, and provision was made for re-examination with the leave of the Committee.

30. The procedure so adopted was intended to ensure that the inquiry proceeds in an orderly and expeditious manner, while safeguarding the requirements of natural justice. The receipt of examination-in-chief by affidavit did not dispense with the examination of witnesses, nor did it curtail the right of the Judge to test the evidence through cross-examination.

31. It was further resolved that upon conclusion of the recording of evidence, the parties would be afforded an opportunity to advance oral submissions prior to finalisation of the report. The Committee also indicated that the proceedings would be conducted, as far as practicable, on a day-to-day basis. The meeting thus marked the transition of the inquiry from the stage of consideration of pleadings and objections to the stage of recording of evidence.

32. Additionally, in this meeting dated 19.01.2026, pursuant to the directions issued in the meeting which was held on 23.11.2025 wherein various digital material and record which was perused and displayed before the Committee in presence of the CFSL expert which was later directed to be copied onto 6 pen drives as noted earlier was resolved to be forwarded in two sealed envelopes to the Judge. Accordingly, on 19.01.2026 a letter

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from Shri Ganpati Bhat, Secretary, JIC was addressed to Shri Justice Varma, along with the sealed envelopes.

33. On 21.01.2026 Shri Ganpati Bhat, Secretary, JIC addressed a letter to Registrar General, High Court of Judicature at Allahabad (Prayagraj) mentioning and acknowledging the help on past two occasions in getting documents and letters served to Justice Yashwant Verma. In this letter, it was also mentioned that two members working with the office of the Committee were deputed to Allahabad to serve sealed envelopes containing the pen drives to Justice Yashwant Verma. However, upon reaching the residence of the Judge, it was found that he was not available/reachable. Hence, the said deputed persons were unable to serve the letter. In view of the same, the Secretary requested to the Registrar General, High Court of Judicature at Allahabad (Prayagraj) that the sealed envelope be handed over to Justice Yashwant Verma and also acknowledgment for the same was sought. Thereafter, on 23.01.2026 an e-mail and letter were received from Justice Yashwant Verma addressed to Shri Ganpati Bhat, Secretary, JIC wherein the Judge had authorized Shri Vishwajeet Singh, Advocate to collect the sealed envelope referred to in the communication dated 21.01.2026 as noticed hereinabove. In the said letter, he also enclosed a duly signed authority letter in favour of Shri Vishwajit Singh authorizing him to collect the sealed envelope.

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34. The proceedings recorded in the foregoing paragraphs reflect the course adopted by the Committee from the stage of its constitution until the inquiry reached a position of procedural readiness. During this period, the Committee secured and examined the material forming the basis of the inquiry, framed and communicated the Articles of Charge together with the statement of grounds and relied upon material, and afforded the Judge due opportunity to place his defence on record.
35. The communications addressed on behalf of the Judge, including those relating to supply of material, clarification of procedure, and extension of time, were considered and dealt with at each stage. The challenge to the constitution of the Committee having not found acceptance before the Supreme Court, and the objections raised in the statement of defence having been examined, the Committee proceeded, in exercise of its authority under Section 4(1) of the Judges (Inquiry) Act, 1968, to regulate the procedure governing the conduct of the inquiry.
36. The inquiry thus stood beyond the stage of preliminary consideration and procedural arrangement, and was required to proceed to the stage of adjudication upon evidence. The proceedings that follow relate to the hearing before the Committee, including the interlocutory applications filed, the submissions advanced thereon, and the recording of evidence.

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2 PROCEEDINGS OF JIC

37. Before setting out the proceedings date-wise, it is appropriate to indicate the course of the inquiry before the Committee.
38. The proceedings dated **24.01.2026** record the first sitting. The subsequent sittings on **05.02.2026**, **06.02.2026** and **13.02.2026** were principally concerned with interlocutory applications relating to supply of internal records, access to electronic material, recall of earlier resolutions, mode of recording evidence, production of official records, and sequencing of cross-examination. The details of the said applications, the submissions advanced thereon, and the orders passed by the Committee are set out in the succeeding part of this section.
39. From **13.03.2026** onwards, the proceedings entered the evidentiary stage. Evidence of witnesses was recorded, cross-examination was conducted, official records from public authorities were produced, and exhibits were marked subject to proof, relevancy and admissibility. Upon completion of the evidence proposed by the presenting side, closure of such evidence was recorded on **17.03.2026**, and directions were issued for defence evidence.
40. The proceedings dated **10.04.2026** record that, despite time granted, no list of defence witnesses had been furnished. On the same date, the Committee

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took on record the communication dated 09.04.2026 addressed by the Judge, along with reference to parallel communications addressed to constitutional authorities. The Committee directed that the said communications be placed on record and afforded opportunity for response, while deferring consideration thereon. The matter was thereafter adjourned for further consideration.

2.1 PROCEEDINGS DATED 24.01.2026

41. Pursuant to the communication dated 19.01.2026, whereby the Judge was required to appear before the Committee on 24.01.2026, the Committee convened its first hearing on the said date. The appearance of the parties and the learned advocates representing them was recorded. The Judge appeared through his learned advocates, and Smt. Aishwarya Bhati, learned Senior Counsel appointed under the Act, was also present. The Vakalatnama executed in favour of Smt. Stuti Gujral, Shri Faraz Maqbool and Shri Vishwajeet Singh, Advocates, on behalf of the Judge was taken on record.

42. At the outset, it was agreed between the learned advocates appearing for the parties that all further exchange of pleadings, interlocutory applications, memos and other papers would be effected through the email addresses furnished by them. The said arrangement was recorded to ensure

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orderly exchange of pleadings and communications during the course of the inquiry.

43. Smt. Aishwarya Bhati, learned Senior Counsel, submitted that affidavits in lieu of examination-in-chief of four witnesses had already been filed and that the said witnesses were present for tendering evidence. At this stage, a plea was put forward on behalf of the Judge with reference to Section 3(3) read with Rules 6 and 7 of the Judges (Inquiry) Rules, 1969. The Committee noted that, by its resolution dated 19.01.2026, it had already resolved to proceed with the recording of evidence after placing the statement of defence on record.

44. An application was thereafter filed on behalf of the Judge seeking opportunity to file an additional or revised statement of defence. The said request was founded upon the decision/resolution dated 19.01.2026 passed by the Committee and the supply of fresh material after filing of the statement of defence dated 12.01.2026. The Judge sought to respond to the data contained in the pen drive received from the Director, CFSL, which had been received by email on 22.01.2026 at about 5:20 p.m. and physically received on 23.01.2026.

45. The Committee, in order to afford full opportunity to the Judge and in compliance with the principles of natural justice, deemed it appropriate to grant one opportunity to file an additional written statement of defence. Time was accordingly granted till 03.02.2026. The Committee also

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recorded that, by communication dated 12.01.2026, it had already clarified that the documents and materials earlier claimed to have not been furnished were bereft of material particulars and, in the absence of any specific reference to such material, the request dated 27.12.2025 could not be processed.

46. The Committee further resolved that all documents relied upon by it would be made available for inspection by the Judge or his authorised representative in the presence of the Secretary or Director of the Committee, upon prior intimation of at least one day. It was also directed that, immediately after such inspection, if copies of any available documents were required, the same would be furnished under due acknowledgment.

47. The proceedings thereafter moved to admission and denial of documents. Learned advocates appearing for the Judge stated that the document at Serial No. 8 and document No. 14 of Volume I, Enclosure 3, were admitted, while the remaining documents at Serial Nos. 1 to 13 were not admitted on the ground of lack of knowledge. On behalf of the advocates appointed under the Act, it was submitted that document Nos. 3, 5 to 9 were official communications exchanged between constitutional functionaries and there could be no dispute as to their existence.

48. Having regard to the submissions, the Committee marked the documents at Serial Nos. 8 and 14 as **Exhibits P-1 and P-2** respectively. Documents

at Serial Nos. 3, 5, 6, 7 and 9 were marked as **Exhibits C-1 to C-5**, subject to relevancy. The learned counsel for the Judge also admitted documents at Serial Nos. 17 and 26 of Volume II. Receipt of documents at Serial Nos. 19, 24, 25 and 49 was admitted, and the same were marked as **Exhibits P-3 to P-8** respectively.

49. Shri Siddharth Aggarwal, learned Senior Counsel appearing for the Judge, submitted that by the next date of hearing, a memo would be filed specifying the documents which the Judge would admit. The proceedings were thereafter adjourned to 05.02.2026 at 4:00 p.m.

2.2 PROCEEDINGS DATED 05.02.2026

50. The Committee convened on 05.02.2026 pursuant to the adjournment granted on 24.01.2026. The appearance of the parties and the learned advocates representing them was recorded. At the outset, Interlocutory Application Nos. 2, 3 and 4, which had been filed on behalf of the Judge, were taken up for consideration, as they raised issues pertaining to the procedure and continuation of the inquiry.

2.2.1 I.A. NO. 2 – REQUEST FOR SUPPLY OF INTERNAL RECORDS OF THE COMMITTEE

51. I.A. No. 2 was moved on behalf of the Judge seeking supply of copies of all minutes, resolutions, decisions, orders and correspondence prepared or issued by the Committee since the date of its constitution. The submission

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on behalf of the Judge was that such material was necessary to understand the procedural framework adopted by the Committee and to enable him to effectively participate in the proceedings.

52. The application was opposed by the learned senior advocates appointed under the Act, who submitted that the request pertained to internal deliberations and administrative functioning of the Committee, which do not form part of the evidentiary record of the inquiry. It was further submitted that the procedure adopted by the Committee had already been communicated to the Judge and that no prejudice could be said to arise.

53. The Committee, upon careful consideration, observed that the Judges (Inquiry) Act, 1968 contemplates an inquiry into definite charges on the basis of material placed before the Committee, and that the right of the Judge is to have notice of the charges, access to the material relied upon, and full opportunity to defend himself during the inquiry.

54. The Committee distinguished between material forming the basis of the inquiry and internal deliberations and administrative functioning of the Committee. It held that minutes of meetings, internal correspondence, logistical arrangements, and deliberative processes of the Committee are part of its institutional functioning and do not constitute material upon which the charges are founded or the inquiry proceeds.

55. The Committee further noted that disclosure of such internal material is neither contemplated by the statutory scheme nor necessary for ensuring

fairness of the inquiry. It was observed that the Judge had already been furnished with the Articles of Charge, statement of grounds, list of documents and witnesses, and the relied upon material, and had been afforded full opportunity to file his statement of defence.

56. The Committee thus concluded that the request for supply of internal records was not legally sustainable and did not advance the cause of a fair defence. I.A. No. 2 was accordingly rejected.

2.2.2 I.A. NO. 3 – REQUEST FOR COMPLETE ELECTRONIC DATA AND MIRROR IMAGE

57. I.A. No. 3 was filed seeking directions for supply of the entire electronic data referred to in the material received by the Committee, including a clone copy or mirror image of the pen drive relied upon. It was contended that the data furnished to the Judge was incomplete, particularly when viewed in the context of the larger volume of data originally collected, and that complete disclosure was necessary to enable an effective defence.

58. The learned senior advocates appointed under the Act opposed the application and submitted that the material supplied to the Judge comprised the entirety of the electronic record relied upon by the Committee. It was further submitted that the balance data formed part of a larger extraction from mobile devices of various individuals and contained personal content not relied upon by the Committee.

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59. It was emphasised that disclosure of such non-relied upon material would result in unwarranted invasion of the privacy of individuals whose devices had been examined during the earlier fact-finding process, and that the Committee was under an obligation to ensure that only relevant and relied upon material was placed in the domain of the inquiry.
60. The Committee, upon consideration of the submissions, recorded that the obligation of fair disclosure in proceedings of this nature extends to furnishing the material relied upon in support of the charges, so as to enable the person concerned to effectively meet the case against him.
61. The Committee held that such obligation does not extend to disclosure of the entire corpus of data collected during preliminary or investigative processes, irrespective of its relevance or reliance. It was noted that the material furnished to the Judge comprised the complete set of electronic data which the Committee had considered relevant and had relied upon for the purposes of the inquiry.
62. The Committee further observed that furnishing of the entire dataset, including personal and unrelated material, would not only be unnecessary but would also compromise the privacy of individuals and introduce irrelevant material into the proceedings, thereby detracting from the focused nature of the inquiry.

63. It was also noted that the request for clone copy or mirror image of the entire dataset was disproportionate to the requirements of the inquiry and was not supported by any statutory provision.

64. In these circumstances, the Committee concluded that the requirement of fairness stood fully satisfied by the supply of all relied upon material and that no further disclosure was warranted. I.A. No. 3 was accordingly rejected.

2.2.3 I.A. NO. 4 – RECALL OF RESOLUTION

65. I.A. No. 4 sought recall of the decision/resolution dated 19.01.2026, whereby the Committee had resolved to proceed with the inquiry and recording of evidence, and also sought recall of the proceedings dated 24.01.2026. A further prayer was made for affording a separate opportunity of hearing to the Judge to address objections to the Articles of Charge.

66. It was submitted on behalf of the Judge that the statutory scheme under Section 3(3) of the Act read with Rules 6 and 7 of the Judges (Inquiry) Rules, 1969 envisages a stage at which objections to the Articles of Charge are to be considered before the inquiry proceeds further. It was urged that the filing of a written statement of defence cannot be equated with such hearing and that the Committee was required to adjudicate upon the validity and sufficiency of the charges before proceeding to evidence.

67. The application was opposed by the learned senior advocates appointed under the Act, who submitted that the Judge had already been afforded full opportunity to raise all objections in his statement of defence, which had been taken on record and considered by the Committee. It was further submitted that the application did not seek any specific modification or alteration of the charges but was in substance a reiteration of the defence of denial.
68. The Committee, upon consideration, examined the statutory framework in detail. It noted that the charges had been framed in accordance with Section 3(3) of the Act and communicated along with the statement of grounds and relied upon material. The Judge had received the same on 27.11.2025, sought additional documents on 04.12.2025, was responded to on 06.12.2025, and was granted extension of time to file his statement of defence up to 12.01.2026.
69. The Committee further noted that the statement of defence filed on 12.01.2026 had been taken on record and considered by it in its meeting dated 19.01.2026. Upon such consideration, the Committee had resolved to proceed with the inquiry.
70. The Committee examined the contents of the statement of defence and recorded that it did not contain any plea seeking alteration, amendment, substitution or clarification of any specific charge. It was a case of



complete denial of the allegations, coupled with a prayer that the charges be dropped.

71. The Committee held that the statutory scheme does not contemplate a separate and independent stage of adjudication upon the validity or sufficiency of the charges prior to commencement of the inquiry under Section 4. The process envisaged is that once definite charges are framed and communicated, and the statement of defence is received, the Committee proceeds to investigate the charges by recording evidence.

72. The Committee further observed that the inquiry under the Act is sui generis in nature and cannot be equated with a criminal proceeding involving stages such as discharge or framing of charge, nor with a civil trial involving settlement of issues. The safeguards of natural justice are embedded in the inquiry process itself, particularly through the right of the Judge to cross-examine witnesses, adduce evidence, and be heard in defence.

73. The Committee thus concluded that no prejudice was caused to the Judge by proceeding to the stage of recording evidence and that the objections raised could be appropriately considered in the course of the inquiry while evaluating the evidence.

74. In view of the above, the Committee declined to recall its earlier resolution dated 19.01.2026 and rejected the prayer for a separate hearing on the Articles of Charge. I.A. No. 4 was accordingly rejected.



75. Upon rejection of I.A. Nos. 2, 3 and 4, the Committee indicated that it would proceed with the recording of evidence, particularly as witnesses were stated to be present.

76. At that stage, four further interlocutory applications were filed on behalf of the Judge, which were registered as I.A. Nos. 5, 6, 7 and 8. Having regard to the nature of the issues raised therein, the Committee proceeded to hear the learned advocates on the said applications.

2.2.4 I.A. NO. 6 – MODE OF RECORDING EXAMINATION-IN-CHIEF

77. I.A. No. 6 sought modification of the resolution dated 19.01.2026, insofar as it provided for examination-in-chief of witnesses by way of affidavit. It was prayed that examination-in-chief be conducted viva voce.

78. The Committee noted that a similar prayer for recall or modification of the resolution dated 19.01.2026 had already been considered and rejected while dealing with I.A. No. 4. On that ground, the Committee found that the application was liable to be rejected.

79. The Committee nevertheless examined the issue on merits. It referred to Section 5(c) of the Act, which confers upon the Committee the powers of a civil court, including the power to receive evidence on oath. It further referred to Order XVIII Rule 4 of the Code of Civil Procedure, which permits examination-in-chief of witnesses by way of affidavit.

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80. The Committee observed that the procedure adopted by it, whereby examination-in-chief is received by affidavit and copies are furnished in advance, ensures that the Judge has full opportunity to effectively cross-examine the witnesses. It was further noted that such procedure facilitates orderly and efficient conduct of the proceedings without in any manner curtailing the rights of the Judge.

81. The Committee thus held that the procedure adopted was consistent with the statutory framework and did not warrant modification. I.A. No. 6 was accordingly rejected.

82. The proceedings were thereafter adjourned to 06.02.2026 for hearing of I.A. Nos. 5, 7 and 8 and for commencement of recording of evidence, if witnesses were present.

2.3 PROCEEDINGS DATED 06.02.2026

83. The Committee convened on 06.02.2026 pursuant to the order passed on 05.02.2026. The proceedings on the said date were fixed for hearing I.A. Nos. 5, 7 and 8, and for recording of evidence of witnesses, if present. The learned advocates appearing for the parties were heard on the said applications. Having regard to the nature of the prayers sought therein, and the submissions advanced, the Committee directed that orders on I.A. Nos. 5, 7 and 8 would be pronounced on 13.02.2026.

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84.LA. No. 5 pertained to the request made on behalf of the Judge for access to the entire material/documents available before the Committee, including such material as may not have been cited as relied upon documents. The said application raised the issue whether, apart from the Articles of Charge, statement of grounds, list of documents, list of witnesses and relied upon material already furnished, the Judge was entitled to inspect or obtain the entire corpus of material available before the Committee. Since the said application raised questions relating to the width of disclosure and the scope of access to unrelayed material, the Committee heard the parties and reserved orders thereon.

85.LA. No. 7 sought deferral of cross-examination of certain witnesses until the examination-in-chief of a larger group of witnesses was completed. The prayer was founded upon the contention that several witnesses belonged to common official clusters, including Delhi Fire Services, Delhi Police, CRPF and PSO personnel, and were likely to depose on overlapping aspects concerning the fire incident, presence at the premises, identification of currency notes, and events surrounding the intervening night of 14.03.2025 and 15.03.2025. Since the application concerned the sequencing of evidence and the manner in which cross-examination was to proceed, the Committee heard the parties and reserved orders.

86.LA. No. 8 sought directions for summoning documents and materials for purposes of cross-examination of witnesses whose affidavits in lieu of

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examination-in-chief had been served upon the Judge. The documents sought included records from Delhi Police, Delhi Fire Services and CRPF, including Roznamcha/Daily Diary entries, visitor registers, fire occurrence books and other official records relating to the fire incident at Bungalow No. 30, Tughlak Crescent, Tughlak Road, on the night of 14.03.2025. Since the application involved summoning of official records from public authorities and had a bearing upon the right of cross-examination, the Committee heard the parties and reserved orders to be pronounced on 13.02.2026.

87. After hearing the parties on I.A. Nos. 5, 7 and 8, the Committee proceeded with the recording of evidence. The evidence of PW-1, Shri Akhlesh Kumar, Deputy Director, CFSL, Chandigarh, came to be recorded. During the course of his evidence, electronic material, including photographs and videographs, was displayed before the Committee. **Exhibits P-11 to P-16** were marked during his examination.

88. Since the recording of further evidence could not be completed for want of time, further examination of PW-1 stood adjourned. The matter was directed to be listed on 13.02.2026 at 10:30 a.m. for pronouncement of orders on I.A. Nos. 5, 7 and 8 and for continuation of evidence.

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2.4 PROCEEDINGS DATED 13.02.2026

89. The Committee convened on 13.02.2026 pursuant to the proceedings dated 06.02.2026, when orders on I.A. Nos. 5, 7 and 8 had been reserved and the further recording of evidence of PW-1, Shri Akhlesh Kumar, Deputy Director, CFSL, Chandigarh, had been adjourned. On 13.02.2026, the Committee first pronounced orders on I.A. Nos. 5, 7 and 8

2.4.1 I.A. NO. 5 – ACCESS TO ENTIRE MATERIAL

90. I.A. No. 5 had been filed by the Judge seeking access to the entire material and documents available before the Committee, including such material as had not been cited as relied upon documents. The substance of the prayer was that access should not be confined only to the material relied upon in support of the Articles of Charge, but should extend to the whole body of material available with the Committee.

91. On behalf of the Judge, it was contended that principles of natural justice required disclosure of all material available before the Committee, irrespective of whether such material formed part of the evidentiary basis presently relied upon. It was urged that restricting access to relied upon documents alone would prevent the Judge from independently examining whether any material available with the Committee may assist his defence or have an exculpatory bearing. Reference was also made to certain

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illustrative documents and underlying material which, according to the Judge, may exist within the record but had not been supplied.

92. The application was opposed by the learned senior advocates appointed under the Act. It was submitted that the Judges (Inquiry) Act, 1968 establishes a specialised constitutional procedure and does not contemplate an unrestricted right to inspect the entire record of the Committee. It was further submitted that the statutory framework secures fairness by requiring communication of definite charges together with the material relied upon in support thereof, and that importing disclosure obligations from criminal proceedings or other adversarial frameworks would alter the character of the inquiry.

93. The Committee, upon hearing the learned senior advocates, considered the nature of the statutory process. It recorded that the procedural autonomy of the Committee forms an integral part of the statutory scheme and that expanding disclosure obligations beyond what is necessary for a fair defence would risk converting an investigative constitutional process into an open-ended adversarial exercise inconsistent with the purpose of the Act. The Committee emphasised that proceedings under the Judges (Inquiry) Act, 1968 constitute a sui generis constitutional mechanism designed to balance two imperatives: fairness to the Judge concerned and preservation of the integrity and functional efficacy of the institutional process entrusted to the Committee. ✈

94. The Committee noted that Section 3 of the Act provides for framing and communication of definite charges together with an opportunity to present a written defence, while Section 4 secures substantive procedural safeguards during the inquiry, including the right to cross-examine witnesses, adduce evidence and be heard in defence. It further recorded that neither the Act nor the Rules framed thereunder create a generalised right to access all material available before the Committee irrespective of relevance or reliance. The legislative design, as understood by the Committee, secures fairness through disclosure of the case required to be met, not through an unrestricted disclosure regime.

95. The Committee also considered the reliance placed on criminal law authorities. It recorded that such authorities operate in the domain of adversarial criminal trials, where prosecutorial power, potential deprivation of liberty and the presumption of innocence shape procedural safeguards in a distinct manner. The Committee held that transplantation of principles evolved in that context into a proceeding under the Judges (Inquiry) Act would amount to a category error. The present inquiry is not a criminal prosecution, but a constitutionally structured investigative process governed by a self-contained statutory framework.

96. The Committee further held that the Judge had been furnished with the Articles of Charge and all relied upon documents forming the basis of the case required to be met. The fundamental requirement of natural justice,

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namely that a person must know the case against him and be afforded fair opportunity to answer it, stood satisfied. The plea that natural justice mandates disclosure of the entirety of material available before the Committee was found to travel beyond the statutory framework. The Committee further observed that assertions that unrelayed material may contain something favourable to the defence were speculative and did not demonstrate concrete prejudice arising from non-supply of any specific identified document necessary for defence.

97. The Committee accordingly held that acceptance of such a submission would transform the inquiry into an open-ended discovery process and result in fishing for evidence. Having regard to the statutory framework, the procedural safeguards already afforded, and the absence of demonstrated prejudice, the Committee found no legal basis to direct disclosure of the entire corpus of material available before it. I.A. No. 5 was accordingly dismissed.

2.4.2 I.A. NO. 8 – SUMMONING OF OFFICIAL RECORDS

98. The Committee next considered I.A. No. 8, by which the Judge sought directions to Delhi Police, Delhi Fire Services and CRPF for production of documents relating to the fire incident at Bungalow No. 30, Tughlak Crescent, Tughlak Road, on the night of 14.03.2025. The documents sought

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included, inter alia, records relating to PSO duties, daily diaries, visitor registers, CRPF records, police station entries and fire occurrence records.

99. The Committee noticed that, although the Judge had sought production of several categories of material, only those documents which appeared to have some bearing on the inquiry and on the effective cross-examination of witnesses were required to be summoned at that stage. The Committee accordingly allowed I.A. No. 8 in part.

100. The Committee directed production of the following documents: Roznamcha/Daily Diary Book for March 2025 maintained by the PSO Branch for Justice Yashwant Varma; Visitor Book/Visitor Register for March 2025 maintained by the PSO Branch for Justice Yashwant Varma; Roznamcha/Daily Diary Book for March 2025 maintained by CRPF for Justice Yashwant Varma; Roznamcha/Daily Diary Book containing entries for 14.03.2025 and 15.03.2025 of P.S. Tughlak Road; and Fire Occurrence Book of Fire Station, Safdarjung.

101. The Committee clarified that summoning of other documents specified in I.A. No. 8, or any further documents, was not warranted at that stage. However, the prayer in that regard was kept alive to the limited extent that further orders could be passed as and when the matter progressed. The Committee expressly made it clear that summoning or production of documents at a later stage would not operate as a ground to defer the recording of evidence then underway. If, upon production of such

documents, any aspect arose necessitating further clarification or limited cross-examination, it would remain open to the Committee, where required and in the interest of fairness, to permit recall of the concerned witness for that limited purpose.

102. The Committee also adverted to the time-bound nature of the inquiry. It noted that Rule 9(2)(c) of the Judges (Inquiry) Rules, 1969 mandates submission of the report within three months from the date on which a copy of the charges framed under Section 3(3) is served upon the Judge. Since the charges had been served on 27.11.2025, the Committee noted that the prescribed time would expire on 26.02.2026. It therefore directed that the proceedings be carried forward expeditiously and called upon the parties to cooperate and assist the Committee in concluding the inquiry within the specified time frame.

2.4.3 I.A. NO. 7 – DEFERRAL OF CROSS-EXAMINATION

103. The Committee thereafter dealt with I.A. No. 7, by which the Judge sought deferral of cross-examination of certain witnesses until the examination-in-chief of a larger group of witnesses was completed. The application proceeded on the basis that several witnesses belonged to overlapping official clusters and were expected to depose on common aspects, including presence at the premises, the fire incident, identification

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of alleged currency notes, and the state of affairs at the residence during the relevant period.

104. On behalf of the Judge, it was submitted that immediate cross-examination of some witnesses before examination-in-chief of others would require disclosure of defence strategy at an early stage and may enable later witnesses to align or improve their testimony. It was therefore urged that the cross-examination of certain witnesses be deferred until examination-in-chief of the larger group was recorded.

105. The application was opposed by the learned senior advocates appointed under the Act. It was submitted that the apprehension expressed was speculative and that the inquiry could not be stalled on such basis. It was also urged that the Committee had the authority to regulate its own procedure and to ensure that evidence was recorded without avoidable delay.

106. The Committee did not accept the prayer in the broad form in which it was sought. However, having regard to the manner in which the evidence was proposed to unfold, it considered it appropriate to adopt a structured framework for sequencing examination so as to ensure clarity, efficiency and coherence in recording evidence. For that limited purpose, the Committee directed that the evidence of the first responders, namely officials of the fire department, could be taken first.

107. The Committee clarified that the arrangement was facilitative and not intended to defer or stall the ongoing recording of evidence. The proceedings were to continue in accordance with the schedule fixed by the Committee. At the same time, the Committee retained liberty, where circumstances so required and in the interest of fairness, to regulate sequencing or permit recall of any witness for limited purposes. Subject to the said directions, I.A. No. 7 was disposed of.

2.4.4 EVIDENCE OF PW-1 AND EXHIBITS MARKED

108. After pronouncement of orders on I.A. Nos. 5, 7 and 8, the Committee proceeded further with evidence. The further examination-in-chief of PW-1, Shri Akhlesh Kumar, Deputy Director, CFSI, Chandigarh, was concluded. The cross-examination of PW-1 thereafter commenced and was recorded in part.

109. During the course of the proceedings dated 13.02.2026, the following exhibits came to be marked: **Exhibit P-17, P-17A, P-18, P-18A, P-19, P-19A, P-19B, P-20, P-21, P-22, P-23, P-23A, P-24, P-24A, P-25, P-25A, P-26, P-26A, P-27, P-28, P-29, P-30, P-31, P-32, P-33, P-34 and P-35.**

110. For want of time, recording of further evidence stood adjourned to 14.02.2026 at 10:30 a.m. One of the Members of the Committee, Hon'ble

Justice Manindra Mohan Shrivastava, Chief Justice, High Court of Madras, joined the proceedings virtually.

2.5 PROCEEDINGS DATED 14.02.2026

111. The Committee convened on 14.02.2026 pursuant to the adjournment granted on 13.02.2026. The proceedings were taken up for continuation of the evidence of PW-1, Shri Akhlesh Kumar, Deputy Director, CFSL, Chandigarh, whose cross-examination had commenced on the previous date and had remained part-heard.
112. The further cross-examination of PW-1 continued till 1:20 p.m. During the course of such cross-examination, the printout of the email dated 21.11.2025 received by the witness came to be marked as **Exhibit P-36**.
113. Thereafter, on account of the ill health of PW-1, and upon the request made by the witness on that ground, the Committee deferred the further cross-examination of PW-1 to 13.03.2026. The Committee thus did not close the evidence of the witness on 14.02.2026, but deferred it for continuation on the next scheduled date, while keeping the witness available for further cross-examination.
114. The Committee then took up the matter relating to admission and denial of documents. Pursuant to the order dated 24.01.2026, and in continuation of the admission and denial exercise already undertaken, the

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Judge had placed on record the list of admission and denial of documents furnished to him by the Committee. The said list was appended as Annexure A to the application filed on 05.02.2026. For administrative convenience, the said application was assigned I.A. No. 9 of 2026.

115. Learned counsel appearing for the Judge submitted that, insofar as the documents reflected in Annexure A were concerned, the Judge had admitted the existence and execution of such documents, without prejudice to his rights. It was further submitted that such admission was not to be treated as admission of the correctness of the contents, and that the documents may be marked subject to proof, relevancy and admissibility.

116. The Committee, taking note of the said position, directed that the documents referred to in Annexure A, in respect whereof existence and execution had been admitted, be marked as exhibits, subject to proof of contents and relevancy. Accordingly, **Exhibits P-37 to P-80** came to be marked. I.A. No. 9 of 2026 was disposed of in the aforesaid terms.

117. The Committee also recorded that the revised/modified index of Volume VI and Volume VII, as had been sought, was furnished to the respective learned advocates on the said date. This ensured that the documentary record placed before the parties remained aligned with the subsequent compilation and indexing of material.

118. Upon consideration of the stage of the proceedings and the requirement of completing the evidentiary process, the Committee

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indicated that further proceedings would be held from 13.03.2026 till 21.03.2026. The matter was accordingly adjourned to 13.03.2026 for further cross-examination of PW-1 and for recording of further evidence of witnesses.

2.6 PROCEEDINGS DATED 13.03.2026

119. The Committee convened on 13.03.2026 pursuant to the adjournment granted on 14.02.2026. The proceedings on the said date were fixed for continuation of evidence, including further cross-examination of PW-1, Shri Akhlesh Kumar, Deputy Director, CFSL, Chandigarh, and for compliance with the directions issued by the Committee while disposing of I.A. No. 8, whereby certain official records were directed to be produced before the Committee. The appearance of the learned advocates representing the parties was recorded.

2.6.1 COMPLIANCE WITH I.A. NO. 8 – PRODUCTION OF OFFICIAL RECORDS

120. At the outset, the Committee took up compliance with its earlier directions issued while disposing of I.A. No. 8. The Committee noted that the said application had been partly allowed, having regard to the necessity of ensuring effective cross-examination while at the same time maintaining the discipline and expeditious progression of the inquiry.

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121. In its earlier order, the Committee had consciously confined the scope of production to such records as bore a direct and proximate nexus with the events forming the subject matter of the inquiry, particularly the fire incident dated 14.03.2025 and the surrounding circumstances. The Committee had, at that stage, declined to issue omnibus directions for production of all material sought, and instead adopted a calibrated approach by directing production of specific categories of official records which were likely to assist in the elucidation of facts and facilitate effective cross-examination.
122. The Committee had further clarified that while such production was permitted in the interest of fairness, the same would not operate as a ground to defer or stall the recording of evidence. It had expressly recorded that the inquiry must proceed in a time-bound manner and that, where necessary, any clarification arising from subsequently produced documents could be addressed by permitting limited recall of witnesses. This framework, as earlier recorded, reflected the Committee's attempt to balance the competing considerations of fairness, relevance and expedition.
123. In compliance with the aforesaid directions, several officers representing different public authorities appeared before the Committee and produced the records directed to be summoned.

124. Shri Mukesh Kumar, Assistant Commissioner of Police, Security, Delhi Police, appeared before the Committee and produced the Daily Diary for March 2025 maintained by the PSO Branch in respect of Justice Yashwant Varma, namely original Register No. II, covering the period from 30.11.2024 to 03.07.2025, along with attested photocopies thereof.
125. Shri G. Sreenivasa Rao, Inspector, CRPF, appeared and produced the Roznamcha/Daily Diary Book for March 2025 maintained by CRPF in respect of Justice Yashwant Varma.
126. Shri Santan Singh, Assistant Commissioner of Police, Tughlaq Road, appeared and produced the Roznamcha/Daily Diary Book containing entries for 14.03.2025 and 15.03.2025 of Police Station Tughlaq Road.
127. Shri Kailash Chandra Gupta, Assistant Wireless Officer, produced the Fire Occurrence Books of the Centralized Control Room, Connaught Place, Delhi Fire Service.
128. Shri Pradeep Kumar, Fire Operator, produced the Fire Occurrence Book of Safdarjung Fire Station, Sub-Control Room.
129. The Committee recorded that the aforesaid documents were produced in compliance with its earlier directions and were taken on record. It was directed that the original records produced shall be returned to the concerned departments upon completion of the inquiry, after retaining copies thereof as part of the record.

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130. The Committee further directed that in the event any original record is sought to be returned prior to conclusion of the inquiry, the same may be returned subject to retention of certified copies and upon an undertaking from the concerned authority that the original shall be produced before the Committee or any other competent authority or Court as and when required.
131. During the course of the proceedings, it was also brought to the notice of the Committee, on instructions from Shri Mukesh Kumar, Assistant Commissioner of Police, Security, Delhi Police, that the Visitor Register referred to in the earlier order was not maintained by the PSO Branch/Security Branch, Delhi Police, in respect of Justice Yashwant Varma. The Committee directed that an affidavit to that effect be filed, so as to formally place the said position on record.
132. The Committee also disposed of the request made by the learned counsel for the Judge through email dated 11.03.2026, in view of the production of records on that date. Upon completion of production, the officers who had appeared for the purpose of producing the records were discharged.
133. The Committee thereafter proceeded with the continuation of evidence. The cross-examination of PW-1, Shri Akhlesh Kumar, which had been deferred on 14.02.2026 due to his ill health, was taken up and completed.

134. Upon completion of the evidence of PW-1, the Committee proceeded to record the examination-in-chief of PW-2, Shri Ankit Schwag. During the course of the examination-in-chief of PW-2, the following exhibits came to be marked: Exhibits P-81, P-82, P-82(a), P-82(b), P-83, P-84, P-85, P-86, P-87, P-88, P-89, P-90, P-91, P-92, P-93 and P-94. The marking of exhibits reflected the documentary and electronic material referred to during the deposition of the witness. The Committee recorded that the evidence of PW-2 was partly completed on the said date. Having regard to the time available, further recording of evidence was adjourned.

135. The proceedings were accordingly adjourned to 14.03.2026 for continuation of evidence, including further examination and cross-examination of witnesses.

2.7 PROCEEDINGS DATED 14.03.2026

136. The Committee convened on 14.03.2026 pursuant to the adjournment granted on 13.03.2026. The proceedings on the said date were fixed for continuation of the evidentiary exercise, following the completion of evidence of PW-1, Shri Akhlesh Kumar, Deputy Director, CFSL, Chandigarh, and the commencement of examination-in-chief of PW-2, Shri Ankit Schwag, on the previous date. The appearance of the learned advocates representing the parties was recorded.

137. At the outset, Smt. Aishwarya Bhati and Shri Raja Thakare, learned Senior Counsel appointed under the Act, made a statement with regard to the witnesses proposed to be examined. It was submitted that although affidavits in lieu of examination-in-chief of six witnesses had earlier been furnished, two of such witnesses, namely Shri Prakash Chand Meena and Shri Pradeep Kumar, would not be examined, as their evidence was considered by the presenting side to be cumulative and repetitive in nature.
138. It was further stated that Shri Navneet Kharab, cited at Serial No. 6 in the list of witnesses, would also not be examined. Insofar as Shri Suman Kumar, Assistant Divisional Officer, Delhi Fire Services, cited at Serial No. 7, was concerned, it was brought to the notice of the Committee that he was presently unwell, reportedly on account of a serious medical condition, and therefore unable to attend. Learned Senior Counsel, however, expressly reserved the right to examine the said witness at a later stage, subject to his availability and health condition. The aforesaid submissions were recorded.
139. The Committee, while taking note of the said statements, observed that the power to regulate the course of evidence necessarily includes the discretion to avoid repetition and to ensure that the evidentiary record remains confined to material that is relevant and necessary for adjudication of the charges. It was also borne in mind that the inquiry, though required to be thorough, ought not to be encumbered by cumulative depositions

which do not materially advance the fact-finding process. At the same time, the Committee ensured that such pruning of witnesses did not prejudice the completeness of the evidentiary record or the right of the Judge to effectively cross-examine and meet the case against him.

140. The Committee thus permitted the advocates appointed under the Act to regulate their list of witnesses in the manner indicated, subject to the overarching requirement that the inquiry remains comprehensive and fair.

2.7.1 RECORDING OF EVIDENCE – PW-2 TO PW-5

141. The Committee thereafter proceeded with the recording of evidence. On the said date, PW-2 Shri Ankit Schwag, PW-3 Shri Manoj Kumar Mehlawat, PW-4 Shri Bhanwar Singh and PW-5 Shri Pravindra Malik were examined and cross-examined.

142. The evidence of these witnesses broadly related to the events surrounding the fire incident, the response of officials, their presence at the site, and the circumstances prevailing at the premises during the relevant period. Their testimonies formed part of the cluster of “first responder” and associated witnesses, which the Committee had earlier indicated would be taken up in a structured manner to ensure clarity and coherence in the evidentiary narrative.

143. During the course of the examination of the said witnesses, documentary and illustrative material was brought on record. The map



appended to the comprehensive statement of Justice Yashwant Varma dated 30.04.2025, which had been submitted before the In-House Committee, was marked as **Exhibit P-2A**, subject to proof and relevancy.

144. In addition thereto, the following exhibits came to be marked during the proceedings: **Exhibit P-17B, Exhibit P-95, Exhibit P-96, Exhibit P-97, Exhibit P-98, Exhibit P-99, Exhibit P-99(a), Exhibit P-99(b), Exhibit P-100, Exhibit P-101, Exhibit P-102, Exhibit P-103, Exhibit P-104, Exhibit P-105, Exhibit P-106, Exhibit P-106(a), Exhibit P-106(b), Exhibit P-106(c) and Exhibit P-107.**

145. The Committee considered it appropriate to record that the marking of documents and material as exhibits during the course of examination of witnesses is a procedural step intended to identify and organise the evidentiary record. Such marking does not, by itself, constitute proof of the contents of the documents, nor does it conclude the question of their admissibility or evidentiary value. All such aspects were expressly kept open for consideration at the appropriate stage of appreciation of evidence.

146. This approach ensured that the evidentiary process remained structured and traceable, while preserving the right of the Judge to contest the authenticity, admissibility and probative value of the material during cross-examination and at the stage of final submissions.

147. The Committee also recorded that the cross-examination of PW-1, Shri Akhlesh Kumar, which had earlier been deferred on account of his ill

health on 14.02.2026, was taken up and concluded on the present date. With the conclusion of his cross-examination, the evidence of PW-1 stood completed.

148. The cross-examination of PW-2, Shri Ankit Sehwal, which had commenced on the said date, could not be concluded. Learned Senior Counsel appearing for the Judge sought adjournment for continuation of cross-examination.

149. The Committee, having regard to the stage of the proceedings and the request made, granted adjournment for continuation of the cross-examination of PW-2 to the next day, i.e., 15.03.2026.

150. Learned Senior Counsel appearing for the Judge made a statement that all witnesses who had been examined till that stage would be cross-examined positively on the next date. The Committee recorded the said statement and proceeded on the basis that the evidentiary process would be carried forward without avoidable delay.

151. The proceedings dated 14.03.2026 marked a significant stage in the inquiry. On the said date:

- the evidentiary record was expanded substantially through examination and cross-examination of multiple witnesses;
- a number of documents and materials were brought on record and marked as exhibits;
- the list of witnesses was rationalised by the presenting side to avoid repetition; and
- the evidence of PW-1 was brought to completion.

152. The matter was accordingly adjourned to 15.03.2026 at 10:30 a.m. for continuation of cross-examination and further recording of evidence.

2.8 PROCEEDINGS DATED 15.03.2026

153. The Committee convened on 15.03.2026 pursuant to the adjournment granted on 14.03.2026. The proceedings were fixed for continuation and completion of cross-examination of the witnesses whose evidence had commenced or been recorded on the previous date. The appearance of the learned advocates representing the parties was recorded.

154. At the outset, the further cross-examination of PW-2, Shri Ankit Sehwal, was taken up. His cross-examination came to be concluded. During the course of his cross-examination, Exhibits P-107(c) and P-107(d) came to be marked. The Committee thereafter proceeded with the cross-examination of PW-3, Shri Manoj Mehlawat, PW-4, Shri Bhanwar Singh, and PW-5, Shri Pravindra Malik. The cross-examination of the said witnesses was also concluded on the same date.

155. The proceedings of 15.03.2026, thus, marked the completion of cross-examination of the first set of material witnesses whose evidence had been taken in continuation of the structured sequencing earlier adopted by the Committee. The Committee recorded the progress of the evidence and proceeded to consider the further course of recording testimony of the remaining witnesses.

156. At this stage, Smt. Aishwarya Bhati and Shri Raja Thakare, learned Senior Counsel appointed under the Act, submitted that they would not be examining certain witnesses cited in the witness list, namely Shri Suman Kumar, Assistant Divisional Officer, Delhi Fire Services, Delhi; Shri Rajendra Atwal, Divisional Officer, Delhi Fire Services, Delhi; Shri Rishikesh, Head Constable, Delhi Police; and Shri Rajneesh Kumar, Sub-Inspector, Delhi Police, who were placed at Serial Nos. 7, 13, 27 and 28 in the witness list. A memo to the said effect was filed and taken on record.
157. The Committee noted the said memo. The decision not to examine the said witnesses was recorded as part of the conduct of evidence by the advocates appointed under the Act. The Committee, while taking the memo on record, proceeded on the basis that the presenting side was entitled to regulate the evidence to be led by it, subject always to the control of the Committee and the requirement that the inquiry remain complete, fair and focused upon the Articles of Charge.
158. The Committee thereafter recorded the position regarding affidavits in lieu of examination-in-chief of the next set of witnesses. It was noted that the affidavits of Shri Rajesh Kumar, Head Constable, and Shri Roop Chand, Head Constable, who were at Serial Nos. 9 and 11 of the witness list, had already been furnished. On the said date, the affidavits in lieu of examination-in-chief of Shri Chaman, Constable; Shri Sunil Kumar, Head Constable; and Shri Umesh Malik, SHO, Delhi Police, who were at Serial

Nos. 8, 10 and 12 of the witness list, were furnished to the Judge and were also filed before the Committee. The same were taken on record.

159. Shri Siddharth Aggarwal, learned Senior Counsel appearing for the Judge, submitted that the last three affidavits had been furnished only on 15.03.2026 at 4:40 p.m. and, therefore, adequate time ought to be granted to enable cross-examination of the said witnesses. The submission was founded upon the necessity of having reasonable opportunity to examine the contents of the affidavits and to prepare for cross-examination.

160. Per contra, Smt. Aishwarya Bhati and Shri Raja Thakare, learned Senior Counsel appointed under the Act, submitted that the affidavits of Shri Rajesh Kumar and Shri Roop Chand had already been furnished earlier. It was further submitted that statements recorded before the In-House Committee of all the witnesses had been supplied much earlier, and therefore the request for deferral of cross-examination did not arise in the manner suggested.

161. The Committee considered the rival submissions in the backdrop of its earlier order on I.A. No. 7. The Committee specifically adverted to the order dated 13.02.2026, wherein it had adopted a structured framework for sequencing of examination, so as to ensure clarity, efficiency and coherence in the recording of evidence. It had then clarified that such arrangement was intended to facilitate effective examination and was not to operate as a device to defer or stall the ongoing recording of evidence.



162. The Committee reiterated that the liberty granted in the order on I.A. No. 7 was facilitative in nature and could not be understood as conferring an entitlement to indefinitely defer recording of evidence. The Committee further observed that nothing contained in the earlier order limited its continuing authority to regulate the manner, scope and sequence of evidence.
163. Having regard to the fact that certain affidavits had been furnished on the said date, the Committee balanced the requirement of fairness with the need to avoid unnecessary interruption of the inquiry. It directed that, upon completion of the examination-in-chief of the second cluster, cross-examination shall proceed without delay. It further directed that any further affidavits of witnesses proposed to be examined shall be furnished to the Judge or his counsel on or before 16.03.2026.
164. Since the witnesses at Serial Nos. 8 to 12 of the witness list were not available on that day, the recording of their evidence stood deferred to 16.03.2026. The Committee thus did not defer evidence as a matter of general indulgence, but adjourned the recording only because the concerned witnesses were not available on that date.
165. The Committee also issued directions with regard to the defence evidence proposed to be led by the Judge. Learned counsel appearing for the Judge were directed to furnish, on or before 31.03.2026, the list of witnesses whom the Judge proposed to examine. It was further directed

that, if the Judge proposed to file affidavits in lieu of examination-in-chief of such witnesses, the same shall also be filed, subject to further orders or directions of the Committee.

166. The proceedings dated 15.03.2026 accordingly achieved three distinct purposes. First, the cross-examination of PW-2 to PW-5 was concluded. Secondly, the presenting side rationalised its witness list by giving up certain witnesses and placing a memo to that effect on record. Thirdly, the Committee regulated the next stage of evidence by ensuring timely supply of affidavits, preserving the right of cross-examination, and fixing a timeline for the Judge to indicate his own witnesses.

167. The matter was thereafter adjourned to 16.03.2026 for further recording of evidence and continuation of the inquiry.

2.9 PROCEEDINGS DATED 16.03.2026

168. The Committee convened on 16.03.2026 pursuant to the adjournment granted on 15.03.2026. The proceedings were fixed for continuation of the evidentiary exercise, including examination of the next set of witnesses, consideration of documents produced pursuant to earlier directions, and such interlocutory matters as may arise in the course of the hearing. The appearance of the learned advocates representing the parties was recorded.

2.9.1 MARKING AND IDENTIFICATION OF OFFICIAL RECORDS PRODUCED

169. At the outset, attention was drawn to the official records which had been produced before the Committee pursuant to the directions issued while disposing of I.A. No. 8 and which had been taken on record on 13.03.2026. Learned Senior Counsel appearing for the Judge submitted that certain portions of the registers containing entries for the relevant period ought to be specifically identified and marked, so as to facilitate their effective use during cross-examination.
170. The said request was not opposed by the learned Senior Counsel appointed under the Act. The Committee, having regard to the necessity of ensuring clarity and precision in the evidentiary record, permitted the identification and marking of relevant portions of the registers.
171. Accordingly, the register for the period 07.03.2025 to 21.03.2025 (odd dates) was marked as **Exhibit P-108**. The relevant entry at page 198, reading "0010 omitted to enter at 0005 hrs," was marked as **Exhibit P-108(a)**. The entry at page 199 for 0045 hours was marked as **Exhibit P-108(b)**, and the entry at page 201 for 0205 hours was marked as **Exhibit P-108(c)**.
172. The register for the period 08.03.2025 to 22.03.2025 (even dates) was marked as Exhibit P-109. The entries at page 192 for 2258 and 2259 hours were collectively marked as **Exhibit P-109(a)**, and the entries at

page 193 for 2330, 2335 and 2336 hours were collectively marked as **Exhibit P-109(b)**.

173. The Committee recorded that the marking of such entries was undertaken to isolate and identify portions of the official record which were considered relevant for purposes of the inquiry and cross-examination. It was clarified that such marking was subject to proof, admissibility and evaluation at the appropriate stage.

174. During the course of the proceedings, additional exhibits came to be marked. These included **Exhibits P-40(a), P-40(b), P-40(c), P-40(d), P-110(a), P-110(b), P-110(c), P-111, P-111(a), P-111(b), P-112, P-112(a), P-112(b), P-112(c), P-113, P-113(a), P-113(b), P-113(c), P-113(d), P-114, P-114(a), P-114(b), P-114(c), P-115, P-115(a), P-115(b), P-115(c), P-115(d), P-115(e), P-115(f), P-115(g), P-116, P-116(a) and P-116(b)**.

175. The Committee reiterated that the marking of such material was for purposes of identification and organisation of the evidentiary record and did not, by itself, conclude questions of admissibility, proof or evidentiary value.

2.9.2 FILING OF I.A. NOS. 10 AND 11 – REQUEST FOR PRODUCTION OF ELECTRONIC DATA

176. On the said date, two further interlocutory applications were filed on behalf of the Judge, which came to be registered as I.A. Nos. 10 and 11.

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177. I.A. No. 10 sought directions for summoning documents and material for purposes of cross-examination of witness Head Constable Ajit Singh (Delhi Police No. 2106). The specific prayer was for direction to the concerned service provider, through Delhi Police, to produce the call detail records, including location data, of mobile number +91 7428498432 for the period 13.03.2025 to 16.03.2025.
178. I.A. No. 11 sought a further direction for production of the mobile device of the said witness along with the Google Takeout data corresponding to the said mobile number, particularly in relation to location data.
179. The applications were moved in the context of the cross-examination of the witness and were aimed at testing the veracity and completeness of the testimony of the said witness by reference to electronic location data.
180. Upon the applications being taken up, Smt. Aishwarya Bhati, learned Senior Counsel appointed under the Act, submitted that the prayer was not being seriously opposed at that stage. However, it was submitted that a decision as to whether Head Constable Ajit Singh would be examined as a witness would be taken and communicated to the Committee.
181. Having regard to the said submission, the Committee considered it appropriate to defer orders on I.A. Nos. 10 and 11. The Committee observed that the necessity of issuing directions as sought in the said

applications would depend upon whether the said witness was to be examined and the manner in which his evidence would be placed on record.

182. The Committee thus deferred consideration of LA. Nos. 10 and 11 to the next date of hearing, namely 17.03.2026.

183. The proceedings dated 16.03.2026 reflected a continuation of the evidentiary process with increasing reliance on documentary and electronic material. The Committee facilitated precise identification of relevant portions of official records produced pursuant to earlier directions, thereby ensuring that the evidentiary record remained structured and capable of meaningful analysis.

184. At the same time, the Committee maintained procedural balance by entertaining applications seeking further material for cross-examination, while ensuring that such requests were considered in the context of relevance and necessity, and without disrupting the orderly progression of the inquiry.

185. The matter was thereafter adjourned to 17.03.2026 for further proceedings, including consideration of LA. Nos. 10 and 11 and continuation of evidence.

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2.10 PROCEEDINGS DATED 17.03.2026

186. The Committee convened on 17.03.2026 pursuant to the adjournment granted on 16.03.2026. The proceedings were fixed for continuation of evidence and for consideration of I.A. Nos. 10 and 11, on which orders had been deferred on the previous date. The appearance of the learned advocates representing the parties was recorded.
187. At the outset, Smt. Aishwarya Bhati and Shri Raja Thakare, learned Senior Counsel appointed under the Act, made a statement with regard to the further evidence proposed to be led. It was submitted that the presenting side proposed to examine only one additional witness, namely Shri C.G. Rawat, ASI/GD No. 005020855, CRPF, and that all other remaining witnesses in the list of witnesses would not be examined. A memo to the aforesaid effect was filed and taken on record.
188. In view of the said statement, Shri Siddharth Aggarwal, learned Senior Counsel appearing for the Judge, submitted that I.A. Nos. 10 and 11 would not be pressed for the present.
189. The Committee recorded that I.A. No. 10 sought production of call detail records and location data of a particular witness, and I.A. No. 11 sought production of the mobile device and corresponding electronic data of the said witness, both applications being directed towards testing the veracity of the testimony proposed to be led.

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190. The Committee noted that the necessity of the said applications was intrinsically linked to the proposed examination of the concerned witness. In view of the statement made by the presenting side that the said witness would not be examined at that stage, the immediate necessity for adjudication of the applications did not survive.
191. Accordingly, I.A. Nos. 10 and 11 were dismissed as not pressed, with liberty reserved to the Judge to revive the prayer, subject to the rights of both parties, in the event the circumstances so warranted at a later stage.
192. The Committee thereafter proceeded with the recording of evidence.
193. On the said date the **further cross-examination of PW-7** was undertaken and concluded; the **cross-examination of PW-8** was undertaken and concluded; and the **examination-in-chief and cross-examination of PW-9** was undertaken and concluded.
194. The Committee recorded that the completion of evidence of the aforesaid witnesses formed part of the continuing evidentiary process, particularly in relation to the cluster of official witnesses whose testimonies related to the events surrounding the fire incident, presence at the site, and official records.
195. During the course of the proceedings, the following exhibits came to be marked:
- i. **Exhibit P-117 and P-117(a)**
 - ii. **Exhibit P-118, P-118(a), P-118(b), P-118(c), P-118(d)**

- iii. **Exhibit P-119, P-119(a), P-119(b), P-119(c)**
- iv. **Exhibit P-120, P-120(a), P-120(b), P-120(c), P-120(d)**
- v. **Exhibit P-121, P-121(a), P-121(b)**
- vi. **Exhibits P-122 to P-128**

196. The Committee reiterated that the marking of exhibits was for the limited purpose of identification and organisation of the evidentiary record and that issues relating to proof, admissibility and evidentiary value would be determined at the appropriate stage of appreciation of evidence.

197. The Committee has proceeded to discuss the further proceedings, and details in the main body of the report, and this marks the end of the present Annexure.

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