

Certified Copy of order dt 29/7/26, Copy of application and report in case Deepak Sharma v/s IGP Crime in the Crt of CJM, Jammu

IN THE COURT OF CHIEF JUDICIAL MAGISTRATE, JAMMU

Case No. : 1156/2026

CNR No. : JKJM030080112026

Date of Institution: 29.05.2026

Date of Order: 29.07.2026

Deepak Sharma, Advocate Versus

Inspector General of Police, Crime
Branch, Channi Rama,
Jammu, J&K Bharat & Anr.

(Applicant/Complainant)

(Non-Applicants/Respondents)

In the matter of: Application under section 173(4) and 175(3) of BNSS, 2023 seeking calling of status report/action taken report from Crime Branch, Jammu on the complaint submitted by the applicant on 09.05.2026.

CORAM: Munish K. Manhas
JO Code: JK00175

ORDER

1. Complainant present. On behalf of non-applicant, Sr.PO present, who submitted detailed report regarding the matter. I have perused the same.
2. It reveals that Crime Headquarters, J&K has accorded approval for referring the matter to ZPHQ, Jammu for appropriate action under law. In compliance to the same, the matter has been forwarded by SSP, Crime Branch (EOW), Jammu to the office of IGP, Jammu Zone (ZPHQ) for necessary action under law and the latter has reported that matter has been referred to SSP Reasi for thorough enquiry.
3. It further transpires from the record on file that vide order dated 09.06.2026, SP Katra has directed Dy.SP, Bhawan, Katra to take appropriate necessary action in the matter under law.
4. At this stage, complainant filed an application seeking immediate preservation and securing the documentary and electronic evidence pertaining to the matter. Same is place on record.

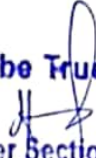
Heard. Considered.

5. Dy.SP, Bhawan, Katra is hereby directed through Ld. APP to file detailed report regarding the enquiry being conducted by him and also to take appropriate action ^{including} facts stated in the application filed by the applicant today, on next date of hearing. Enlist on 18.08.2026.

Announced
29.07.2026


Chief Judicial Magistrate,
Jammu

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(Bhartiya Saksham Abhimiya)
Chief Judicial Magistrate,
Jammu**

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In 5-7-7-8

Deepak Sharma

Inspector General of Police, Crime Branch & Ors.

MAY IT PLEASE YOUR HONOUR:

1. That the applicant has filed the application before this Hon'ble Court seeking an action-taken/status report upon his complaint dated 09.05.2026 submitted before the Inspector General of Police, Crime Branch, Jammu, and the Senior Superintendent of Police, Crime Branch, Economic Offences Wing, Jammu, and further seeking registration of an FIR and a fair, comprehensive and scientific investigation into the serious allegations raised therein.
2. That the complaint concerns allegations of large-scale adulteration, substitution, pilferage and/or misappropriation of silver offerings made by devotees at Shri Mata Vaishno Devi Ji Shrine. It has been reported that a very substantial quantity of articles recorded or treated as silver offerings was transmitted for melting, processing and/or assaying, whereupon an exceptionally low silver content was allegedly detected.
3. That the complaint does not proceed upon any final or predetermined conclusion regarding the precise stage at which the alleged adulteration or substitution occurred. A

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fair investigation is required to determine, inter alia, whether:

- a. spurious or highly adulterated articles were sold or supplied to devotees and thereafter offered at the Shrine;
 - b. genuine silver offerings were substituted, pilfered or misappropriated after their receipt;
 - c. any discrepancy occurred during classification, storage, packing, weighing, transportation, delivery, assaying, melting or processing;
 - d. there was any manipulation of records, certificates, inventories, weights, purity reports or chain-of-custody documentation; or
 - e. there exists any other innocent or criminal explanation for the extraordinary discrepancy reported.
4. That the respondent Crime Branch has already filed a status report before this Hon'ble Court. The Status report does not merely show inaction on the complaint but also conspicuously silent about preservation of the evidence.
5. That there exist an immediate and reasonable apprehension that material evidence may be lost, altered, substituted, remelted, overwritten, destroyed or otherwise rendered unavailable. Electronic evidence, including CCTV footage and server logs, may also be automatically overwritten upon expiry of the applicable retention period.
6. That the aforesaid apprehension is being raised as a precautionary necessity and not as an allegation that any particular officer, institution or individual has already destroyed or manipulated evidence. A preservation direction would protect the integrity of the proposed investigation only.
7. That the relevant material is extensive and includes physical articles, samples, remnants, residues, official files, registers, electronic databases, accounting systems, emails, CCTV recordings, audit trails and scientific test data. Mere examination of witnesses at a later stage cannot substitute the contemporaneous physical and documentary trail.

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8. That the material requiring immediate preservation includes, inter alia:

- a. the remaining silver or purported silver articles forming part of the relevant consignment;
- b. samples, counter-samples, remnants, residues, packaging material, labels and seals;
- c. receipt, inventory, jewellery, stock, vault, weighing, custody and dispatch registers;
- d. packing lists, seal numbers, photographs, videography, gate passes, delivery challans, transport records and acknowledgements;
- e. Government Mint inward records, seal-verification records, sampling records, original assay and purity reports, laboratory worksheets, instrument-generated data, calibration records and raw analytical data;
- f. correspondence exchanged between the Shrine Board, Government Mint, assaying agencies, transporters and other connected authorities;
- g. CCTV recordings relating to the storage, weighing, packing, sealing, loading, transportation, receipt, opening and processing of the relevant consignment;
- h. accounting records, audit reports, reconciliation statements and records of shortages, discrepancies, wastage or recovery;
- i. electronic inventory entries, official emails, digital files, access logs, modification history, server logs and backup data.

9. That any further melting, refining, segregation, auction, sale, transfer, return or disposal of the relevant material may permanently extinguish the possibility of determining its original composition, identity, weight, condition and chain of custody.

10. That the material is not in the possession of the applicant and is likely to be held by the Shri Mata Vaishno Devi Shrine Board, the concerned Government Mint, testing or assaying agencies, transporters and various police formations. Its preservation cannot be secured by the applicant without appropriate judicial directions.

11. That Section 94 BNSS empowers this Hon'ble Court to require production of any document, electronic communication or device likely to contain digital evidence.

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or any other thing considered necessary or desirable for an investigation, inquiry, trial or other proceeding under the Sanhita.

12. That preservation at this stage neither establishes the correctness of the allegations nor determines the admissibility or evidentiary value of the material. It merely ensures that a fair and effective investigation is not frustrated by irreversible loss of evidence.
13. That no legitimate prejudice would be caused by requiring the custodians to protect existing evidence, whereas its disappearance may render the pending proceedings and any subsequent investigation ineffective.
14. That the power of the Magistrate under Section 175(3) BNSS to order investigation necessarily carries the incidental authority to pass such protective directions as are essential to prevent the contemplated investigation from being frustrated by disappearance, alteration or destruction of the very evidence upon which it must proceed.

PRAYER

In view of the facts and circumstances stated above, it is most respectfully prayed that this Hon'ble Court may graciously be pleased to:

- A. Direct immediate preservation of all physical, documentary and electronic evidence described in Paragraph 8 of this application;
- B. Direct that the relevant consignment, articles, samples, counter-samples, remnants, residues, packing material, seals and containers shall not be remelted, reprocessed, segregated, auctioned, sold, returned, transferred, destroyed or otherwise disposed of until properly inventoried, photographed, videographed, sampled and secured in accordance with law;
- C. Direct immediate suspension of routine deletion or overwriting of relevant CCTV footage, emails, electronic

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inventory records, access logs, server data, audit trails and backups;

D. Direct the police authority presently holding the applicant's complaint to immediately issue formal preservation notices to the Shri Mata Vaishno Devi Shrine Board, the concerned Government Mint, assaying/testing agencies, transporters and every other identified custodian of the relevant evidence;

E. Direct the competent investigating agency, wherever preservation in site is found inadequate, to lawfully secure, seal or seize the material evidence in accordance with the BNSS while maintaining a complete inventory and chain of custody;

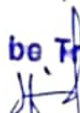
F. Direct the concerned authorities to submit a compliance report with three working days or within any such period as the learned court may direct, identifying the material preserved, its present location, its custodian and the steps taken to prevent destruction, alteration or overwriting; and

G. Pass such other order as may be considered just and necessary for preserving the integrity of the pending proceedings and the proposed investigation.


APPLICANT/COMPLAINANT
DEEPAK SHARMA
Through Counsel

Place: Jammu
Date: 29-07-2026


Aditya Raina
Advocate

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Chief Judicial Magistrate
Jammu

BEFORE THE HON'BLE COURT OF CHIEF JUDICIAL MAGISTRATE, JAMMU

In the matter of: Deepak Sharma (Advocate).

V/s

IG-P, Crime Branch, J&K, Srinagar

In the matter of: - Reply.

May it please your honour!

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That the Crime Branch (EOW) Jammu received a court summons dated 13.07.2026 in the case titled Deepak Sharma Advocate Versus IGP Crime Branch, wherein the Hon'ble Court has summoned the Enquiry Officer along with the relevant record on 29.07.2026. In compliance with the directions of the Hon'ble Court, the reply is submitted as under:

1. That on 11.05.2026, a complaint regarding the misappropriation, use/procurement of toxic cadmium/cadmium-laden metal, and adulteration/substitution of approximately 20 tonnes of silver worth Rs. 550 Crores—offered by devotees at the Shri Mata Vaishno Devi Shrine Board, Katra—was received in this office from the complainant, Deepak Sharma.
2. That accordingly, the complaint was submitted to Crime Headquarters J&K, Srinagar, vide this office letter No. EOW/CBJ/Cl/2026/771/13332 dated 20.05.2026, for approval regarding the further course of action.
3. That in response, Crime Headquarters J&K, Srinagar, vide letter No. CHQ/Cl/J-624+J-525/2026/E-7910384 dated 09.06.2026, accorded approval with the direction that the matter be referred to ZPHQ, Jammu Zone, Jammu, for appropriate action under the law.
4. That in compliance with the directions of CHQ, this office vide letter No. EOW/CBJ/Cl/2026/936/15381-82 dated 13.06.2026 forwarded the said complaint to the office of the Inspector General of Police, Jammu Zone, Jammu (ZPHQ), for necessary action under the law, and the Hon'ble Court has already been apprised to this effect.
5. That thereafter, it has been reported that the IGP, Jammu Zone, Jammu, referred the matter to the SSP, Reasi, for a thorough enquiry which is presently underway.

No. EOW/CBJ/Cl/2026/26/2027- Sr. Superintendent of Police,
Dated: 25.07.2026 Crime Branch (EOW) Jammu.

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