

**CBI Vs. Saurav Sharma**  
**(FIR No. RC-DAI-2020-A/0024**  
**U/s 120 B IPC r/w 7, 7-A & 8 of PC Act**  
**CNR No.DLCT-11000003-2022**  
**CC no. 03/2022**

**30.03.2024**

**This is an application filed on behalf of A-5/applicant Neeraj Kumar seeking permission to travel abroad and release of passport.**

Present : Ms.Rohini Anand, Ld. Subst. PP for CBI.

Shri Abhishek Mahal, Ld. counsel for (A-5) Neeraj Kumar along with Neeraj Kumar.

1 By way of present application, the applicant/accused No. 5 Neeraj Kumar seeks permission of this court to travel to Dubai and Abu Dhabi from 01.05.2024 to 10.05.2024 for vacation.

2 Reply to the application has been filed on behalf of the CBI whereby it is submitted that accused has been charged U/s 120B IPC r/w Sec. 7, 7-A & 8 of PC 13(1)(d) of PC Act. It is submitted that applicant accused has played crucial role in the transaction of the alleged bribe money in the present case. It is further submitted that allegations against the applicant are serious in nature and if he is permitted to go abroad, he may abscond and prayer is made for dismissal of application.

3 Arguments on the above application heard.

4 It is stated in the application that the applicant is on regular bail in the present and he has been duly complying with the bail conditions and other conditions imposed by the court. It is further stated that the documents relied upon by the CBI are already on the judicial record and there is no possibility of the applicant to tamper with the

evidence or influence the witnesses and right of travel abroad has been considered to be the part of fundamental rights as per various judgements of Hon'ble Apex Court. Therefore, it is prayed that permission be granted to the applicant to travel abroad to Dubai and Abu Dhabi from 01.05.2024 to 10.05.2024 along with his family for vacation.

5 I have heard the rival contentions of Ld. PP for CBI and ld. counsel for the applicant/accused and also gone through the records.

6 It is not disputed that investigation in this case has already been completed and the substantial evidence is of documentary nature and there are no chances of tampering with the evidence or influencing the witnesses.

7 In view of the abovesaid facts and circumstances, applicant/A-5 Neeraj Kumar is permitted to travel abroad to Dubai and Abu Dhabi from 01.05.2024 to 10.05.2024 for vacation subject to the following conditions:

- **Accused shall furnish security in the form of FDR/bank guarantee for a sum of Rs. 5 Lakhs (Five Lakhs only) in the name of Court i.e. Ld. Principal District & Sessions Judge-cum-Special Judge, CBI, (PC Act), Rouse Avenue District Courts, New Delhi along with one surety bond of Rs. 5 Lakhs (Five Lakhs only) to the satisfaction of Court**
- **He shall surrender his Passport in court within 24 hours of his arrival in India.**
- **In any eventuality, accused will not request for extension for staying abroad.**
- **He shall neither tamper with the evidence nor try to influence any witness in any manner and will not use the permission**

granted to him contrary to the rules.

- This permission shall be subject to other applicable rules and will not be deemed as directions to any other authority except the permission from the side of the court.
- He will submit the address of his stay in Dubai and Abu Dhabi along with telephone/contact numbers and e-mail address/s. He will also file his schedule of travel to Dubai and Abu Dhabi at the time of submitting FDR / bank guarantee / surety bond, as above.
- His surety / Ld. Counsel will undertake to accept notice(s), if any, on behalf of the accused in his absence.
- He will not create any third party interest in any of his immovable properties situated in India or abroad without permission of the court during this period.
- Neither he nor his counsel will object to the carrying of the trial / inquiry during the absence of accused A-5.
- In case of violation of above mentioned conditions, the bank guarantee/FDR / surety bond amount shall be forfeited to the State.

As prayed for, the passport of applicant/accused Neeraj Kumar be returned to him for the purpose of his travel. He is directed to deposit the passport within 24 hours after his return.

8           The above application is disposed off accordingly. Now to come up on date already fixed for 22.04.2024.

9           Copy of this order be given dasti to both sides as prayed.

(Rakesh Kumar-III)  
Special Judge (PC Act)(CBI)-02  
Rouse Avenue District Court  
New Delhi/30.03.2024