

CC No. 3/2022
CNR No. DLCT 11-000003-2022
RC No. DAI-2020-A/0024
CBI v. Saurav Sharma & Ors.

17.09.2025

(Present proceedings have been conducted on Hybrid Mode)

Present : Shri Raj Kamal, Ld. PP for CBI.
MHC(M) HC Mahavir, physically present.
All five accused are physically present.
Ld. Counsels Sh. Abhishek Mahal and Sh. Gaurav
Dahiya for all accused persons except **A-2**.
Ld. Counsels Sh. Kushagra Sinha and Sh. Nakul Sethi
for **A-2**.

1. In terms of order dt. 01.09.2025 A-1 Saurav Sharma was permitted to travel abroad (Bali). However, today it is submitted on his behalf by his counsel Sh. Abhishek Mahal that A-1 Saurav Sharma did not in fact travel abroad (Bali) and that his passport was not taken from the Court record.
2. No PW present today.
3. An application under section 311 of CrPC filed by CBI today. Copy thereof given to counsels for accused persons.
4. Reply to the application of A-5 Neeraj Kumar seeking permission to travel abroad filed by Ld. PP for CBI. Copy given. Submissions on this application heard. Record perused.
5. Applicant/A-5 Neeraj Kumar seeks permission to travel abroad and for release of his passport. It is stated that A-5 Neeraj Kumar is travelling to Vietnam from 24.10.2025 to 01.11.2025 with his family for vacation. It is prayed that his passport be

accordingly released. CBI in its reply has opposed this application. It is the submission of Ld. PP for CBI that applicant/A-5 Neeraj Kumar is likely to flee the course of justice.

6. Ld. counsel for applicant/A-5 Neeraj Kumar submits that even in the past (vide order dt. 06.06.2024) he had visited China and Bangkok after taking prior permission of the Court without violating any of the conditions as imposed by the Court.

7. Having heard the submissions and perused the record, this Court is inclined to allow this application. Right to travel abroad has been held to be a fundamental right in several decisions of the Constitutional Courts.

8. Consequently, **the passport (Z4567745) of A-5 Neeraj Kumar is directed to be released to him. A-5 Neeraj Kumar is permitted to travel to Vietnam from 24.10.2025 to 01.11.2025 subject to the following conditions:**

i. Applicant/A-5 Neeraj Kumar shall furnish security in the form of FDR/bank guarantee for a sum of Rs.5 lacs (Five Lacs) in the name of Court i.e. Ld. Principal District and Sessions Judge-cum-Special Judge, CBI (PC Act), Rouse Avenue District Courts, New Delhi along with one surety bond of Rs. 5 lacs (five lacs) to the satisfaction of Court. After compliance of this condition, his passport shall be released for the above period so as to enable him to travel abroad to Vietnam.

ii. He shall surrender his Passport in court within 48 hours of his arrival in India.

iii. In any eventuality, accused will not request for extension for staying abroad.

iv. He shall not tamper with the evidence or try to influence any witness in any manner and will not use the permission granted to him contrary to the rules.

v. 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.

vi. He will submit the address of stay in Vietnam along with telephone/contact numbers and e-mail address(es). He will also file his schedule of travel to Vietnam at the time of submitting FDR/Bank Guarantee/surety bond, as above.

vii. His surety/Ld. Counsel will undertake to accept notice(s), if any on behalf of accused in his absence.

viii. He will not create any third party interest in any of his immovable properties situated in India or abroad with permission of the Court during this period.

ix. Neither he nor his counsel will object to the carrying of the trial/inquiry during the absence of above accused.

x. In case of any of the above conditions are violated, the bank guarantee/FDR/surety bond amount shall be forfeited to the State.

9. The application of applicant/A-5 Neeraj Kumar to travel abroad to Vietnam is disposed of accordingly.

10. Copy of this order be given *dasti* to the counsel for applicant/A-5 Neeraj Kumar, as prayed for.

11. Issue summons to PW28 Ms. Anuradha Dey for the next date of hearing. List for RPE on 20.09.2025.

(M. P. Singh)
Special Judge (PC Act) CBI-02
RADC/New Delhi/17.09.2025