

CNR No. DLCT11-000050-2023

CT No. 01/2023

ED Vs. M/s SSK Trading Private Limited & Ors.

06.06.2023

Present : Sh. Arun Khatri, Ld. SPP for ED with Sh. Luv
Sharma, Advocate.

Sh. Siddharth Arora, Ld. Counsel for A18

Praveen Kumar Gupta @ Parveen Gupta.

Today the matter is fixed for filing of reply by ED to the application of A18 seeking permission to travel to Dubai, UAE w.e.f. 18.06.2023 to 17.07.2023.

Reply filed. Copy supplied.

Arguments heard.

It is submitted by Ld. Counsel for A18 that A18 is required to travel and accompany his son Lakshya Gupta to Dubai, UAE for helping him in his admission process and to help him in arranging accommodation and settling down at Dubai, UAE. He was admitted for studying BBA in SP Jain School of Global Management, Singapore and now has been shifted to Dubai. It is further submitted that A18 has duly participated and co-operated in the ongoing investigations and he has on all occasions joined the investigation proceedings as and when directed by IO. It is further submitted that there is no apprehension that A18 shall not join the investigation proceedings as and when required in the future. It is further submitted that the family of A18 are residing together at 1007A, Aralias Apartment, Golf Course Road, Gurugram, Haryana, therefore there is no apprehension that A18 will try to evade the due process of law. It is further submitted that A18 has been frequently travelling abroad even till 2021 and has never

attempted to misuse any such travel or liberty. A18 undertakes to comply with all the conditions which are imposed while granting permission to A18 to travel to Dubai, UAE w.e.f. 18.06.2023 to 17.07.2023. It is further submitted that A18 had already permitted to travel to Dubai, UAE by Hon'ble High Court of Delhi vide its order dated 29.05.2023 in another matter and he has also filed the compliance report of the said order. It is further stated that he and his son are only travelling and the remaining family members are going to stay in India.

On the contrary, application of A18 has been strongly opposed by Ld. SPP for ED. It is submitted by Ld. SPP for ED that the charges are yet to be framed in the PMLA prosecution trial and there is apprehension that if A18 is allowed to travel abroad, then he may flee in order to avoid the trial. It is further submitted that the investigation in the matter is still under progress, which would also get hampered in the event of his flee away from the country.

I have heard Ld. Counsel for A18 as well as Ld. Counsel for ED.

A18 alongwith his son wish to travel to Dubai, UAE for ensuring his son's admission process w.e.f. 19.06.2023 to 24.06.2023. Copies of tickets have been filed by Ld. Counsel for A18. The family of A18 is residing at Gurugram, Haryana and A18 has duly participated and co-operated in the ongoing investigations and undertakes to comply all the conditions which are imposed while granting permission to A18. He has travelled abroad earlier too with the permission of Hon'ble High Court as well as Ld. Trial Court. There is nothing on record to show that A18 ever misused the permission granted to him. As per the bail order dated 17.04.2023, no condition has been imposed

restricting the travel to abroad. In view of the facts and circumstances, I am of the view that application deserves to be allowed. Applicant / A18 is permitted to travel Dubai, UAE for the period w.e.f. 19.06.2023 to 24.06.2023 subject to the following conditions:-

1. The applicant before leaving the country, shall file his itinerary before the Court informing about his date of departure, his date of arrival, place of residence abroad and his functional telephone numbers.
2. On the return to India, the applicant within a week of his return, shall inform the Court about his arrival.
3. The applicant shall furnish an additional security of Rs.20 lacs in the form of FDR to be deposited in the Court and if the earlier security is on record, it would suffice.
4. The applicant shall not pray for any extension of time for his stay abroad.
5. The applicant shall not tamper the evidence in any manner or try to influence the witnesses.
6. The applicant/A18 shall appear on next date of hearing i.e. 24.07.2023, without fail and not seek any exemption.
7. This permission is only a permission granted by the Court and shall not operate as permission, direction or order for any other authority, who has a right to stop A18 from travelling abroad.

Put up on dated already fixed i.e. **24.07.2023**.

Copy of this order be given Dasti to Ld. Counsel for accused/A18, as prayed.

(GAGANDEEP SINGH)
Special Judge, PC Act, CBI-04
Rouse Avenue Courts, New Delhi
06.06.2023