

**IN THE COURT OF SPECIAL JUDGE:
PC ACT (CBI) - 04, ROUSE AVENUE COURTS, DELHI.**

IA No. 04/2024

CNR No. DLCT11-11000050-2023

CT No. 01/2023

**E.D V. M/s SSK Trading Pvt. Ltd & Ors. (Applicant- Shefali
Bansal)**

ECIR/DLZO-1/06/2018

U/s 4 r/w Section 3 of PMLA 2002

12.01.2024

Present : Sh. Adit S. Pujari and Aparajita Sinha,
Ld. Counsel for Applicant/Accused-3 Shefali
Bansal.

Sh. Arun Khatri, Ld. Spl. Public Prosecutor (through
VC) and Sh. S. Bajaj physically in Court for
E.D/non-applicant.

Reply is filed by the E.D to the application seeking
permission to visit abroad. Taken on record.

One copy of order dated 10.01.2024 passed by Hon'ble
High Court is placed on record on behalf of applicant whereby he
was allowed to go UAE from 16.01.2024 to 28.01.2024

ORDER

1. This is an application moved on behalf of **Accused-3/applicant Shefali Bansal** seeking permission to travel abroad Dubai (UAE) from 16.01.2024 to 28.01.2024 for purpose of arranging matrimonial alliance of her daughter.

1.1 It is, inter alia, stated in the application that the applicant alongwith her husband (A-2) intends to visit Dubai, UAE for finding out a suitable match for daughter namely Ms. Palak Bansal (aged about 24 years). The tickets for the above-stated period have already been booked and are attached with the application as annexure A. It is further stated that applicant as well as her husband (A-2) also intend to meet marriage planner namely Tirth Shergil there and visiting card of marriage planner attached as annexure B.

1.2 It is further pleaded in the application that one Look Out Circular (LOC) is already issued against the applicant herein due to which she cannot travel abroad without permission of the court. The permission was previously granted by Hon'ble High Court on two occasions during the operation of said LOC. An application seeking suspension of LOC jointly with her husband is pending before the Hon'ble High Court and fixed for 10.01.2024.

1.3 The applicant is a permanent resident of Delhi and she resides with her family at Flat no. X011, DLF, Capital Greens, Phase-III, Shivaji Marg, Moti Nagar, New Delhi. It is further stated that the applicant has root in India.

2. Reply to the aforesaid application is filed. Copy supplied.

3. Ld. Spl. Public Prosecutor for the E.D has vehemently opposed the present application stating that applicant herein is facing trial in case of money laundering under Section 3 & 4 of PMLA 2002 on the basis of complaint dated 13.01.2023 made under Section 44 read with Section 45 of PMLA. The Court vide order dated 10.03.2023 took cognizance of the complaint

and proceedings are in progress. There are serious allegations against applicant herein of submitting false, forged and fabricated documents to lender banks to secure credit facilities in M/s SSK Trading Pvt Ltd, standing guarantor to the credit facilities, siphoning off funds and diverting the said funds for purchase of properties in the name of other company M/s Technobuild Pvt. Ltd and in her own name etc.

3.1 In respect to plea qua LOC against the accused/applicant herein, it is submitted that the magnanimity of the Hon'ble Court has been misused/abused by the persons committing huge economic offences and thereafter absconding to evade the process of law. In this regard reliance has been placed upon cases titled **Nitin Sandesara V. Directorate of Enforcement & Ors in WP (C) No. 7559/2017 and U.P Polic in Crl. M.P No. 1107/2016 in Petition No. For Special Leave to Appeal (Crl.) Nos. 10244** whereby accused persons were allowed to travel abroad and they absconded.

3.4 It is further argued by Ld. Spl. P P for the E.D that the charges in the matter are yet to be framed, if the accused/applicant herein is permitted to travel abroad, she may flee in order to avoid the trial.

4. Heard and considered.

5. Vide order dated 17.04.2023, Accused-3/applicant Shefali Bansal was admitted to bail Ld. Predecessor of this Court.

5.1 The copy of order dated 10.01.2024 passed by Hon'ble High Court of Delhi in W.C (C) 11367/2021 in Surender Kumar Bansal & Anr. V. Union of India & Ors in connected FIR case of CBI is placed on record by Ld counsel for the applicant whereby

the petitioners (accused/applicant herein and her husband) have been permitted to to travel UAE from 16.01.2024 to 28.01.2024. The same is perused.

6. As far as the plea of E.D that there is apprehension of accused fleeing away from the process of law or not returning India is concerned, the same is not forthcoming from the record. There is no report/complaint of her misusing the permission/liberty to travel abroad which was granted on three previous occasions in the connected matter of CBI or violating the bail conditions. The tickets for the scheduled visit to Dubai is on record. Besides this, visiting card of marriage planner too is filed on record. These documents are not disputed.

7. In view of the facts and circumstances, **Accused-3/ Applicant Shefali Bansal is permitted to travel/ visit Dubai (UAE) from 16.01.2024 to 28.01.2024 subject to the following conditions:**

- (I) That Accused/Applicant shall furnish a security of Rs. 10 lacs in addition to her personal surety bond in the like amount. The said security may be furnished in the form of FDR or immovable property of the said value or any of her close relative who will furnish the surety bond.**
- (ii) That Accused/Applicant shall inform the Court about her arrival in India within 72 hours of his return.**
- (iii) That in any eventuality, the Accused/Applicant shall not request for extension of her stay abroad.**

- (iv) That Accused/Applicant shall not tamper with evidence or influence witnesses in any manner and shall not use the permission granted to her contrary to the Rules.**
- (v) That this permission shall be subject to other applicable rules and shall not be deemed as directions to any other authority except permission from the side of the Court.**
- (vi) That during her stay abroad, the Accused/Applicant shall be represented before the Court by her counsel and no adjournment shall requested on her behalf due to her absence.**
- (vii) That Accused/Applicant shall file an undertaking with affidavit that she shall not dispute her identity during the proceedings/trial conducted in the presence of her counsel during this period.**
- (viii) That Accused/Applicant shall submit her addresses/ itinerary at Dubai (UAE), where she intends to stay alongwith her working contact number during this period.**
- (ix) That Surety of Accused/Applicant shall undertake to accept notice, if any, on behalf of applicant/accused in her absence.**

The application stands disposed off accordingly.

A copy of this order be given Dasti to Accused/Applicant/
his counsel.

(GAGANDEEP SINGH)
Special Judge, PC Act, CBI-04
RACC: New Delhi:
12.01.2024