

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

**IA No. 3/2024**

**CNR No. DLCT11-11000050-2023**

**CT No. 01/2023**

**E.D V. M/s SSK Trading Pvt. Ltd & Ors. (Applicant-  
Surender Kumar 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 Surender Kr.  
Bansal.

Applicant/accused Surender Kr. Bansal (VC)

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 in connected case of CBI is placed on record on  
behalf of applicant whereby he has been allowed to go UAE  
from 16.01.2024 to 28.01.2024.

**ORDER**

1. This is an application moved on behalf of  
**Accused-/applicant Surender Kumar Bansal** seeking return of  
his passport and permission to travel abroad Dubai (UAE) from

16.01.2024 to 28.01.2024 for purpose of arranging matrimonial alliance of his daughter.

1.1 It is, inter alia, stated in the application that the applicant alongwith his wife (A-3) intends to visit Dubai, UAE for finding out a suitable match for their 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 his wife (A-3) also intend to meet marriage planner namely Tirth Shergil there and visiting card of marriage planner attached as annexure B. It is further submitted that he was granted regular bail vide order dated 31.03.2023 passed by Ld. Predecessor. In compliance of condition of the said order, he surrendered his passport in the court.

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 he 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. The copy of the said application is annexed herewith as annexure C.

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

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

3. Ld. Spl. Public Prosecutor for the E.D has vehemently opposed the present application stating that applicant herein was arrested by E.D under Section 19 of PMLA 2002 on 15.11.2022 and he 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. Accused/applicant herein is the key conspirator and is director and controller of M/s SSK Trading Pvt Ltd and his other companies which are accused in the this case. 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 & others. He has knowingly involved in the process of activity of generation, concealment, possession, use of proceeds of crime

3.1 It is further submitted in the reply that vide order dated 31.03.2023, accused/applicant was admitted to bail on furnishing personal bond of Rs. 5 lacs with one surety in the like amount with conditions not to leave the country without permission of the court and to deposit his passport. The stringent order was passed after seeing the gravity of offences committed by the accused/applicant.

3.2 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.

3.3 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, he may flee in order to avoid the trial.

#### **4. Heard and considered.**

5. Vide order dated 31.03.2023, ccused-2/applicant Surender Kumar Bansal was admitted to regular bail Ld. Predecessor of this Court with conditions **(1.) not to leave the country without prior prmission of the court and (2.) the applicant shall surrender his passport if not yet within a week from custody.** Thus, the applicant filed the present application seeking return of his passport and permission to travel abroad.

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 his wife ) have

been permitted 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 his misusing the permission/liberty to travel abroad which was granted on 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, **the passport of Accused/ Applicant Surender Kumar Bansal be returned to him for the schedule journey and he 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 his 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 his close relative who will furnish the surety bond.**
- (ii) **That Accused/Applicant shall inform the Court about his arrival in India within 72 hours of his return.**
- (iii) **That in any eventuality, the Accused/Applicant shall not request for extension of his 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 him 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 his stay abroad, the Accused/Applicant shall be represented before the Court by his counsel and no adjournment shall requested on his behalf due to his absence.**
- (vii) That Accused/Applicant shall file an undertaking with affidavit that he shall not dispute his identity during the proceedings/trial conducted in the presence of his counsel during this period.**
- (viii) That Accused/Applicant shall submit his addresses/ itinerary at Dubai (UAE), where he intends to stay alongwith his 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 his absence.**
- (x) That Applicant/accused after travel shall surrender his passport in the Court within 72 hours of his arrival in India.**

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