

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

CNR No. DLCT11-001429-2019

CBI No. 354/2019

CBI Vs. Rakesh Tiwari & Ors.

RC No.AC-I-2018-A-0014,

CBI AC-I New Delhi

15.12.2023

ORDER:-

1. By this order, I shall dispose off the application filed by the applicant /Approver Neeraj Raja Kochhar, who has prayed for permission to travel abroad.
2. It is submitted that applicant / approver Neeraj Raja Kochhar is the Chairman and Managing Director of M/s. Viraj Profiles Ltd., Mumbai and the applicant / approver has major international client base and 95% of the product is exported and he has to travel abroad to generate business and attend meetings with several clients. It is further submitted that on various occasions, permission was granted by this Court to the applicant to travel abroad to the various countries. It is further submitted that vide latest order dated 13.12.2022, applicant /approver permitted to travel abroad for business trips to various countries, which is valid till 31.12.2023.
3. It is also submitted that the applicant /approver has clients and vendors situated in different countries since the applicant's

company is into the business of export in stainless steal. It is further submitted that if the applicant /approver is not allowed to travel to UK, USA, Hong Kong, Thailand, Taiwan, Dubai, France, Poland, Muscat, Oman, Italy, Switzerland, Netherland, Belgium, Turkey, Lebanon, Hungary, China, Brazil, Romania, Bulgaria, St. Lucia, Israel, Iran, Azerbaijan, Bahrain, Croatia, Serbia, Russia, Schengen countries, Argentina, Egypt, Singapore, Peru, Canada, Uzbekistan, Malaysia, Qatar, Kuwait, Saudi Arabia, Mexico, South Africa, Kenya, Korea, Australia, Colombia, Denmark, Fiji, Georgia, Greece, Indonesia, Japan, Bangladesh, Jordan, Maldives, Luxembourg, Mauritius, New Zealand, Vietnam, Tanzania, Philippines and Spain, from 01.01.2024 till 31.12.2024 in intervals for business purposes, then M/s. Viraj Profiles Private Limited and the applicant /approver would suffer irreparable loss to its business. Therefore, it is prayed that he may allow to visit the aforesaid countries from 01.01.2024 to 31.12.2024.

4. Reply filed by CBI to the application of applicant / approver.
5. Ld. Senior Public Prosecutor for CBI has strongly opposed the application stating that as per the reply filed by the IO, the applicant / approver has not provided any document regarding his appointment abroad with any business associate in future or any urgency to visit abroad and even he did not mention about the dates of visit to overseas countries. It is further submitted that the absence of the applicant / approver may hamper the

trial and proceedings, therefore his presence is required till his deposition in the case during trial proceedings before the Court. It is prayed that this application should be dismissed.

6. Heard and considered.

7. Vide order dated 13.12.2022, applicant /approver was permitted to travel to foreign countries for the period of one year i.e. 01.01.2023 to 31.12.2023. He has travelled abroad with the permission of the Court in the present case as well as in the connected ED matter on earlier occasions as well. There is nothing on record to show that applicant/approver Neeraj Raja Kochhar ever misused the permission granted to him in that case as well as in the present case. He has been regularly filing the undertakings of his visits in terms of order dated 13.12.2022. Ld. Counsel for applicant/ approver further states that he is ready to give undertaking that he will be present in the court as and when required and trial shall never suffer because of this permission. No supporting material has been placed on record, which corroborates the apprehension expressed by CBI. The presence of applicant /approver shall be required only at the stage of evidence. In view of the same, this application is allowed. Applicant/approver Neeraj Raja Kochhar is allowed to travel to different countries as mentioned in para no. 8 of the application for business purposes subject to following conditions:-

- 1. That the applicant /approver 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 contact / telephone numbers.**
- 2. That the applicant /approver within 72 hours of his return to India on every visit, shall inform the Court about his arrival. The applicant /approver shall also file the complete copy of his passport alongwith the copy of Visa in the Court on his return.**
- 3. That the applicant / approver 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. That the applicant / approver shall not pray for any extension of time for his stay abroad.**
- 5. That the applicant / approver shall not tamper the evidence in any manner or try to influence the witnesses.**
- 6. That 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.**
- 7. That his Advocate Ms. Astha Nigam shall undertake to accept the notice from the Court / IO, if any, on behalf of the applicant / approver in his absence and shall further**

undertake that in case the presence of the applicant /approver is required during the aforesaid period, she shall immediately intimate the applicant / approver and the applicant / approver shall return to India within 48 hours.

8. Accordingly, application moved by applicant / approver seeking permission to travel different countries stands disposed off.
9. Copy of this order be given Dasti to Ld. Counsel for applicant / approver, as prayed.

**ANNOUNCED IN THE OPEN COURT
TODAY I.E. ON 15.12.2023**

**(GAGAN DEEP SINGH)
SPECIAL JUDGE, PC ACT,CBI-04,
ROUSE AVENUE COURTS,
NEW DELHI.**