

18.11.2023

This is an application filed on behalf of A-24/applicant Ankur Agarwal seeking permission to travel abroad.

Present : Shri Arun Khatri, Ld. Special PP for ED **through VC (Cisco Webex App).**

Shri Prem Chhetri, Ld. counsel for accused A-24 alongwith A-24 Ankur Agarwal.

1 By way of present application, the applicant/accused No. 24 Ankur Agarwal seeks permission of this court to travel to Frankfurt (Germany), Milan (Italy) and Paris (France) from 21.11.2023 to 26.11.2023 for business purpose.

2 No reply has been filed by ED to the application moved on behalf of A-24 Ankur Agarwal for permission to travel abroad. It is orally stated by Ld. Special PP for ED that they do not want to file any formal reply to the said application, however they strongly opposed the application.

3 Arguments heard on the above application.

4 It is stated in the application that the applicant is businessman and operating from Noida and he has to travel to other parts of India as well as foreign countries due to business purposes.

5 It is further stated that applicant is visiting Frankfurt (Germany), Milan (Italy) and Paris (France) from 21.11.2023 to

26.11.2023 for business purposes and he has already purchased air tickets. It is further submitted that the applicant has been granted bail vide order dated 18.02.2021 and he has been duly complying with the bail conditions and other conditions imposed by the court.

6 It is further stated that vide order dated 21.09.2023 this court had allowed the applicant to travel abroad for a period w.e.f. 01.10.2023 to 09.10.2023 but he could not travel due to medical emergency. It is further stated that the documents relied upon by the ED are already on the judicial record and there is no possibility of the applicant to tamper with the evidence or influence the witnesses, therefore, permission be granted to the applicant to travel abroad to Frankfurt (Germany), Milan (Italy) and Paris (France) from 21.11.2023 to 26.11.2023 for business purpose.

7 I have heard the rival contentions of Ld. Special PP for ED and ld. counsel for the applicant/accused and also gone through the records.

8 It is not disputed that investigation in this case has already been completed and the substantial evidence is of documentary nature and accused is also stated to have cooperated during the investigations. Therefore, there are no chances of tampering with the evidence or influencing the witnesses. It is also not disputed that some of the accused in the present case have been given permission to travel abroad and they have not misused the liberty.

9 In view of the abovesaid facts and circumstances, applicant/accused Ankur Agarwal is permitted to travel abroad to Frankfurt (Germany), Milan (Italy) and Paris (France) from 21.11.2023 to 26.11.2023 subject to the following conditions:

- Accused shall furnish security in the form of FDR/bank guarantee for a sum of Rs. 20 Lakhs (Twenty Lakhs only) in the name of Court i.e. Ld. Principal District & Sessions Judge-cum-Special Judge, CBI, (PC Act), Rouse Avenue District Courts, New Delhi along with one surety bond of Rs. 20 Lakhs (Twenty Lakhs only) to the satisfaction of Court
- He shall inform the Court of his arrival in India from Frankfurt (Germany), Milan (Italy) and Paris (France).
- In any eventuality, accused will not request for extension for staying abroad.
- He shall neither tamper with the evidence nor try to influence any witness in any manner and will not use the permission granted to him contrary to the rules.
- 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.
- He will submit the address of his stay in Frankfurt (Germany), Milan (Italy) and Paris (France) along with telephone/contact numbers and e-mail address/s. He will also file his schedule of travel to Frankfurt (Germany), Milan (Italy) and Paris (France) at the time of submitting FDR / bank guarantee / surety bond, as above.
- His surety / Ld. Counsel will undertake to accept notice(s), if any, on behalf of the accused in his absence.
- He will not create any third party interest in any of his immovable properties situated in India or abroad without permission of the court during this period.
- Neither he nor his counsel will object to the carrying of the trial / inquiry during the absence of accused A-24.

- **In case of violation of above mentioned conditions, the bank guarantee/FDR / surety bond amount shall be forfeited to the State.**

- 10 The above application is disposed off accordingly.
- 11 Copy of this order be given dasti to both sides as prayed.

(Rakesh Kumar-III)
Special Judge (PC Act)(CBI)-02
Rouse Avenue District Court
New Delhi/18.11.2023