

24.01.2024

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)** alongwith counsel Ms. Shreya Lamba.

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 Maldives from 01.02.2024 to 04.02.2024 for family function.

2 Reply to this application has been filed on behalf of the complainant/ED whereby it is submitted by ED that the applicant/accused was Director of M/s Agarwal & Associates Impex Private Limited and applicant in connivance with (A-1) Jagmohan Kejriwal had entered into sham transactions of sale and purchase of plywood products. It is stated that his company has shown fraudulent sale of plywood to GVPL and fraudulent purchase of same from M/s Vintage Decor Ltd. & M/s Pine Decor Pvt. Ltd. which were the associate companies of Green Valley Plywood Limited controlled by (A-1) Jagmohan Kejriwal without any actual movement of goods. It is submitted that accused has simply stated that he needs to travel to Maldives for family function from 01.02.2024 to 04.02.2024 without submitting any document/correspondence for the said travel which is not at all an urgent cause and applicant is a flight risk and there is every likelihood that he may abscond to evade the process of law and prayer is made for dismissal of present applicant.

3 Arguments heard on the above application.

4 It is stated in the application that the applicant is businessman and operating from Noida. It is further stated that applicant is visiting Maldives for family function from 01.02.2024 to 04.02.2024 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.

5 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 Maldives for family function from 01.02.2024 to 04.02.2024.

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

7 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 earlier also accused had been given permission to travel abroad and he has not misused the liberty.

8 In view of the abovesaid facts and circumstances, applicant/accused Ankur Agarwal is permitted to travel abroad to

Maldives from 01.02.2024 to 04.02.2024 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 Maldives within 24 hours of his return..
- 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 Maldives along with telephone/contact numbers and e-mail address/s. He will also file his schedule of travel to Maldives 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.

9 The above application is disposed off accordingly. Now to come up on date already fixed for 12.02.2024.

10 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/24.01.2024