

IA/13/2024

CBI Vs. Abhishek Tiwari & Ors.
FIR No. RC 218/2021/A/0005/CBI/AC-III/ND
CC No. 66/2021
CNR No. DLCT-000488-2021

13.12.2024

(Present proceedings have been conducted on Hybrid Mode)

Present: Shri Raj Kamal Ld. PP for CBI.

Applicant/A-2 Anand Dilip Daga through VC (**Cisco Webex App**).

Ms. Anushka Khaitan, Ld. Counsel for applicant/A-2.

1 The present application has been moved by (A-2) Anand Dilip Daga seeking permission to travel to abroad i.e. Baku, Azerbaijan and Dubai, United Arab Emirates from 16.12.2024 to 28.12.2024 to explore and learn about the culture and sights at the said places. Copies of the itinerary and air tickets of applicant are also annexed with the application.

2 Reply to the application has been filed on behalf of CBI submitting therein that the present case was registered by the CBI on 31.08.2021 on the complaint submitted by Shri Kiran, SSP, CBI, AC-V, New Delhi. It is further submitted by Ld. PP that after investigation, charge sheet was filed on 29.11.2021 against accused persons for commission of offences punishable U/S 120B r/w Sec. 201, 379, 409, 411 IPC r/w Sec. 7 & 8 of PC Act r/w Sec. 43 r/w Section 66 & 66B of Information Technology Act. It is further stated that after further investigation supplementary charge sheet was filed U/S 120B r/w sec. 379/411 IPC r/w Sec.8 of PC Act r/w Sec. 43 r/w Sec. 66-B of Information

Technology Act against accused persons. There are serious allegations against the accused persons. It is further stated that this case is at the initial stage; charges have not yet been framed and in case the applicant is granted permission to travel abroad, he may flee away from the clutches of the justice, which may hamper the trial and prayer is made for dismissal of the application.

3 Arguments heard on the above application.

4 It is stated in the application that the applicant/accused is law abiding citizen and a practicing advocate. He has also been previously granted permission to travel abroad by this Court vide order dated 07.10.2023 and has not misused any of the liberty granted by this Court. It is further stated that the applicant has a thriving practice as an Advocate in Bombay and his family lives in India. It is further submitted that applicant is not a flight-risk and that the applicant has been appearing on each and every date before the Court. It is prayed that in such circumstances, the instant application be allowed.

5 I have heard the rival contentions of Ld. PP for CBI and Ld. Counsel for the applicant/accused and have gone through the records.

6 Perusal of record reveals that vide order dated 31.01.2022, applicant/accused was granted bail.

7 Perusal of record also reveals that earlier vide order dated 07.10.2023 and he has not misused the liberty granted to him. Moreover, there is no report from CBI that applicant after granting bail has violated any of the condition of bail.

8 It is also not disputed that investigation in this case has not been completed and the substantial evidence is of documentary nature and accused is also stated to have cooperated during the investigations, as mentioned in the

application. Therefore, there are no chances of tampering with the evidence or influencing the witnesses.

9 In view of the abovesaid facts and circumstances and in the interest of justice, the instant applicant is allowed and applicant Anand Dilip Daga is permitted to travel to Baku, Azerbaijan and Dubai, United Arab Emirates from 16.12.2024 to 28.12.2024 subject to the following conditions:

- **Accused shall furnish security in the form of FDR/bank guarantee of Rs.10 Lacs in the name of court i.e. Ld. Principal District & Sessions Judge-cum-Special Judge, CBI (PC Act), RADC alongwith one surety bond of Rs.10 Lacs to the satisfaction of court.**
- **He shall surrender his Passport in court within 24 hours of his arrival in India.**
- **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 abroad along with telephone/contact numbers and e-mail address/s. He will also file his schedule of travel to abroad 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 applicant.
- In case of violation of above mentioned conditions, the bank guarantee/FDR / surety bond amount shall be forfeited to the State.

The application is disposed off accordingly.

10 Copy of this order be given dasti to the applicant/accused as well as CBI, as prayed.

(ANKIT SINGLA)
Special Judge (PC Act) (CBI)-02
Rouse Avenue District Court
New Delhi/13.12.2024