

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

12.03.2025

(Present proceedings have been conducted on Hybrid Mode)

Present: Shri V.K. Ojha Ld. Substitute Sr. PP for CBI.

Applicant Pooja Deshmukh has appeared through VC (**Cisco Webex App**).

Shri Tushar Anand, Ld. Counsel for applicant Pooja Desmukh.

1 By way of present application, the accused Pooja Deshmukh seeks permission of this court to travel to Italy from 30.05.2025 to 15.06.2025 to attend XIX International Cataract Conference scheduled to be held at Rome from 05.06.2025 to 06.06.2025. Accused has also prayed for release of passport to her counsel so as to enable her to apply for Schengen Visa. Copy of broucher of the International Cataract Conference is annexed as Annexure A-4.

2 Reply to the application has been filed on behalf of the CBI submitting therein that present case was registered by the CBI on 31.08.2021 and it was alleged in the FIR that PE 2232021A0001 was registered on 06.04.2021 in compliance of order dated 05.04.2021 of Hon'ble High Court of Mumbai and for conducting an enquiry, a team of officers of CBI left for Mumbai on 06.04.2021 and during the enquiry, the team members examined several witnesses. It is further alleged that in

consequent upon the enquiry, FIR RC No. 2232021A0003 was registered by the CBI on 21.04.2021 and during the course of investigation, it was found that certain persons were committing illegal action to scuttle the investigation. It is further alleged that after investigation, a charge sheet has been filed against the applicant as well as other accused including one officer of the CBI. It is further stated that this court took the cognizance of the offences and accused persons have been summoned including the complainant. It is further stated that applicant is a very influential person and if permission is granted to her, she may abscond from the process of law and prayer is made for dismissal of the application.

3 Arguments heard on the above application.

4 It is stated by Ld. counsel for Pooja Deshmukh that applicant was granted bail vide order dated 10.11.2023 with the condition that applicant shall not leave the country without prior permission of the court. It is further stated that the applicant is a renowned medical doctor and has 14 years of Ophthalmology experience in various national eye hospitals in phacoemulsification Cataract surgery, Glaucoma, Oculoplasty and Lasik.

5 Perusal of record reveals that vide earlier orders dated 20.10.2023 and 24.12.2024, applicant was permitted to travel abroad and she has not misused the liberty granted to her. Moreover, there is no report from CBI that applicant after granting bail has violated any of the condition of bail.

6 It is not disputed that investigation in this case has already been complete and the substantial evidence is of documentary nature. Therefore, there are no chances of tampering with the evidence or

influencing the witnesses. Purpose of requiring the accused to take prior permission of the court to visit abroad is to ensure her presence before court during trial. Therefore, this court has no reason to deny the permission to accused to travel abroad.

7 In view of the facts mentioned in the application and in view of the order dated 01.09.2023 passed by Hon'ble High Court of Delhi in respect of co-accused namely Rahat Hrishikesh Deshmukh, applicant/accused Pooja Deshmukh is permitted to travel to Italy from 30.05.2025 to 15.06.2025 to attend XIX International Cataract Conference scheduled to be held at Rome from 05.06.2025 to 06.06.2025. subject to the following conditions:

- a) The accused shall furnish an FDR of Rs.10,00,000/- (Rs. Ten Lakhs only) to the satisfaction of the Court and she shall report the court after completing the journey.
- b) The accused shall appear before the Court as and when summoned.
- c) The accused shall file an affidavit giving her full itinerary, the place of stay in New York, USA.
- d) The accused shall also give her mobile number on which she will remain available.

7 The above application is disposed off accordingly. Applicant has appeared through VC and she has prayed that she is residing in Mumbai and therefore, her passport be released to her counsel Shri Tushar Anand after

producing the undertaking. Upon completing the above mentioned conditions, Ahlmad is directed to release passport of the applicant to Shri Tushar Anand Advocate on proper receipt.

8 Copy of this order be given dasti to both sides as prayed.

(ANKIT SINGLA)
Special Judge (PC Act) (CBI)-02
Rouse Avenue District Court
New Delhi/12.03.2025