

IA 17/2025  
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

05.04.2025

**(Present proceedings have been conducted on Hybrid Mode)**

Present : Shri Raj Kamal, Ld. PP for CBI.

Ms. Anushka Khaitan, Ld. Counsel for applicant has appeared through VC.

Applicant in person.

This application has been moved on behalf of (A-2) Anand Dalip Daga for clarification/correction of order dated 22.03.2025 allowing the release of the applicant's passport for limited purpose for issuance of passport of his minor children. It is further stated that vide order dated 22.03.2025, applicant was directed to furnish security in the form of FDR/bank guarantee for sum of Rs.5 Lakh and was further directed to surrender passport in court immediately after issuance of fresh passports of his minor children. It is further stated that passport of the applicant has never been in custody of the court or the investigating agency nor applicant was directed by the court to surrender his passport vide order dated 31.01.2022 when applicant was granted bail. It is further stated that it was only by order dated 13.12.2024 vide which the applicant was allowed to travel abroad and applicant was directed to submit his passport before the court.

Ld. PP for CBI has submitted that he has no objection if the application is allowed.

I have perused the record. Accused was granted bail vide order dated 31.01.2022 and the said order does not contain a condition for surrender of passport by applicant. Perusal of record further reveals that applicant had earlier travelled abroad in the year 2023 and at that time neither in application any request was made for

release of passport nor the order allowing applicant to travel abroad contained order for release of passport, which means that passport was in custody of applicant only. Even the application seeking travel abroad which was disposed off vide order dated 13.12.2024 does not contain prayer for release of passport. However, it was only vide order dated 13.12.2024, while applicant was allowed to travel abroad, a condition was imposed for surrender of passport in the court after return of accused in India, even though there was no such condition in the bail order. Subsequent to said order applicant moved an application for release of passport for preparation of new passport for his son and two daughters and at that time while releasing the passport, court directed the applicant to furnish surety of Rs.5 Lacs for release of passport.

Since in the bail order, there was no condition imposed upon the applicant to surrender his passport, the condition imposed by the court vide order dated 13.12.2024 is recalled and it is directed that passport be released to the applicant and the condition imposed upon him for furnishing surety is also cancelled. This order be also read as part of order dated 13.12.2024 and 22.03.2025. Copy of order be given dasti.

Application stands disposed off accordingly.

(ANKIT SINGLA)  
Special Judge (PC Act)(CBI)-02  
Rouse Avenue District Court  
New Delhi/05.04.2025