

CT Case No.34/2022
CNR No. DLCT11-000811-2022
ECIR/DLZO-I/01/2019 dt. 24.01.2019.
ED v. M/s OPG Securities Pvt. Ltd. & Anr.
IA No. 03/2025 (A-2 Sanjay Gupta)

26.11.2025

File taken up today as 25.11.2025 was declared holiday on account of 350th anniversary of 'Guru Teg Bahadur's Martyrdom Day' vide Hon'ble Delhi High Court's notification no. 35/G-4/Genl.-I/DHC dt. 24.11.2025.

(Present proceedings have been conducted on Hybrid Mode)

Present: Sh. Shailesh N. Pathak, Ld. Special PP for ED along with Advocate Sh. Saumitr Parashar, physically present.

Applicant/A-2 Sanjay Gupta, through VC.

Sh. Harshit Sethi (through VC) and Sh. Kartik Yadav (physically), Ld. Counsels for applicant/A-2.

1. This is an application of applicant/A-2 **Sanjay Gupta** to travel to Singapore from 01.12.2025 to 05.12.2025 and for release of his passport. ED filed its reply on 18.11.2025. Arguments heard today. Record perused.

2. It is stated in the application that applicant/A-2 Sanjay Gupta is travelling to Singapore from 01.12.2025 to 05.12.2025 to attend the Asia Derivatives Conference that is being held at the St. Regis, Singapore; that the applicant/A-2 Sanjay Gupta had registered for the Conference vide an e-mail dated 02.10.2025. Copy of Futures Industry Association Website showing the dates of the Asia Derivatives Conference is annexed as Annexure A-2. Copy of the Futures Industry Association Website showing the details of the sponsors and Exhibitors of the Asia Derivatives

Conference is annexed as Annexure A-3 and copy of the e-mail dated 10.11.2025 from Asian Derivatives Conference is annexed as Annexure A-4. It is prayed that applicant/A-2 Sanjay Gupta be permitted to travel Singapore, his passport be released and consequential directions be issued to the Bureau of Immigration and FRRO not to create any hindrance and for his smooth travel in case any LOC is issued against him.

3. ED in its reply has opposed this application. It is submitted by ED that India has no treaty with Singapore and that there is every likelihood that applicant/A-2 Sanjay Gupta would flee and consequently to secure his presence would be a very difficult exercise. It is further submitted that further investigation in this case is still under way and there is every likelihood that the applicant/A-2 Sanjay Gupta would hamper the court proceedings and influence the witnesses.

4. To the above, it is orally submitted by Ld. Counsels for applicant/A-2 Sanjay Gupta that all the properties of applicant/A-2 have already been attached by the ED itself; that the wife, children and grand child of applicant/A-2 Sanjay Gupta are residing in Preet Vihar, Delhi. It is thus stated that the applicant/A-2 Sanjay Gupta will not escape the course of justice.

5. Having heard the submissions and perused the record, this Court is inclined to allow this application. Right to travel abroad has been held to be a fundamental right in several decisions of the Constitutional Courts. It appears from submission at Bar that all the family members of applicant/A-2 Sanjay Gupta reside in India and that all his properties already

stand attached by the ED. As such, it does appear to this Court that applicant/A-2 Sanjay Gupta will not flee from the course of justice.

6. Consequently, **the passport(s) of applicant/A-2 Sanjay Gupta is directed to be released to him. A-2 Sanjay Gupta is permitted to travel to Singapore from 01.12.2025 to 05.12.2025 subject to the following conditions:**

- i. Applicant/A-2 Sanjay Gupta shall furnish security in the form of FDR/bank guarantee for a sum of Rs.10 lakhs (Ten Lakhs) in the name of Court i.e. Ld. Principal District and Sessions Judge-cum-Special Judge, CBI (PC Act), Rouse Avenue District Courts, New Delhi along with one surety bond of Rs. 5 lakhs (five lakhs) to the satisfaction of Court, after compliance of the other condition, his passport(s) be released for the above period so as to enable him to travel abroad to Singapore.
- ii. Applicant/A-2 Sanjay Gupta shall surrender his Passport(s) in court on 06.12.2025.
- iii. In any eventuality, applicant/A-2 Sanjay Gupta will not request for extension for staying abroad.
- iv. Applicant/A-2 Sanjay Gupta shall not tamper with the evidence or try to influence any witness in any manner and will not use the permission granted to him contrary to the rules.
- v. 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.
- vi. Applicant/A-2 Sanjay Gupta will submit the address of his stay in Singapore along with telephone/contact numbers and e-mail address(es). He will also file his schedule of travel to Singapore at the time of submitting FDR/Bank Guarantee/surety bond, as above.
- vii. His surety/Ld. Counsel will undertake to accept notice(s), if any on behalf of accused in his absence.
- viii. Applicant/A-2 Sanjay Gupta will not create any third party interest in any of his immovable properties situated in India or abroad with permission of the Court during this period.
- ix. Neither he nor his counsel will object to the carrying

of the trial/inquiry during the absence of above accused.

x. In case of any of the above conditions are violated, the bank guarantee/FDR/surety bond amount shall be forfeited to the State.

7. Copy of this Order be sent to the IO/HIO. IO/HIO is directed to communicate this order to the Immigration Authorities/FRRO in order to avoid inconvenience to the applicant/A-2 Sanjay Gupta, in case any LOC is open against him.

8. Applicant/A-2 Sanjay Gupta will appear before this Court on 06.12.2025 after conclusion of his foreign travel. This application (IA No. 03/2025) be listed on 06.12.2025. Order dasti.

(M. P. Singh)
Special Judge (PC Act) CBI-02
RACC/New Delhi/26.11.2025