

IA : 01/2024

CBI Vs. Brij Bhan Singh & Ors.

CC No.: 229/2019

RC No.: 18(E)/2013/CBI/EOU-IV/EO-II/ND

CNR No.: DLCT11-000901-2019

07.06.2024

This is an application filed on behalf of A-3/applicant Rita Verma seeking permission to travel abroad and release of passport.

(Present proceedings have been conducted on Hybrid Mode)

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

Ms. Priti Verma, Ld. Counsel for accused.

1 By way of present application, the applicant/accused No. 3 Rita Verma seeks permission of this court to travel to Thailand for three days tentatively between 22.06.2024 to 07.07.2024 to attend K3 2024 International Convention organized by Kotak Life for its agents working as Life Advisors.

2 Reply to the application has been filed on behalf of the CBI whereby it is submitted that accused has been charged U/s 120B IPC r/w 420, 471 IPC & Section 13(2) r/w 13(1) d of PCT Act. It is submitted that allegations against the applicant are serious in nature and are at the stage of prosecution evidence and if she is permitted to go abroad, she may abscond and will not return back to India to face the trial and prayer is made for dismissal of application.

3 Arguments on the above application heard.

4 It is stated in the application that the applicant is on regular bail in the present and she has been duly complying with the bail conditions and other conditions imposed by the court. It is further stated

that the documents relied upon by the CBI are already on the judicial record and there is no possibility of the applicant to tamper with the evidence or influence the witnesses and right of travel abroad has been considered to be the part of fundamental rights as per various judgments of Hon'ble Apex Court. Therefore, it is prayed that permission be granted to the applicant to travel abroad to Thailand for three days tentatively between 22.06.2024 to 07.07.2024 to attend K3 2024 International Convention organized by Kotak Life for its agents working as Life Advisors.

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

6 It is not disputed that investigation in this case has already been completed and the substantial evidence is of documentary nature and there are no chances of tampering with the evidence or influencing the witnesses. Furthermore, record shows that accused was not arrested by CBI and no condition was imposed by court while admitting accused on regular bail.

7 In view of the abovesaid facts and circumstances, applicant/A-3 Rita Verma is permitted to travel abroad to Thailand for three days tentatively between 22.06.2024 to 07.07.2024 to attend K3 2024 International Convention organized by Kotak Life for its agents working as Life Advisors subject to the following conditions:

- 1. Accused shall furnish security in the form of FDR/bank guarantee for a sum of Rs. 5 Lakhs (Five 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. 5 Lakhs (Five Lakhs only) to the**

satisfaction of Court.

2. She shall surrender her Passport in court within 24 hours of her arrival in India.

3. In any eventuality, accused will not request for extension for staying abroad.

4. She shall neither tamper with the evidence nor try to influence any witness in any manner and will not use the permission granted to her contrary to the rules.

5. 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.

6. She will submit the address of her stay in Thailand along with telephone/contact numbers and e-mail address/s. She will also file her schedule of travel to Thailand at the time of submitting FDR / bank guarantee / surety bond, as above.

7. Her surety / Ld. Counsel will undertake to accept notice(s), if any, on behalf of the accused in her absence.

8. She will not create any third party interest in any of her immovable properties situated in India or abroad without permission of the court during this period.

9. She will submit list of her assets at the time of submission of bail bonds on an affidavit.

10. Neither she nor her counsel will object to the carrying of the trial / inquiry during the absence of accused A-3.

11. In case of violation of above mentioned conditions, the bank guarantee/FDR / surety bond amount shall be forfeited to the State.

As prayed for, the passport of applicant/accused Rita Verma be returned to her for the purpose of her travel. She is directed to deposit the passport within 24 hours after her return.

8 The above application is disposed off accordingly.

9 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/07.06.2024