

**IN THE COURT OF SPECIAL JUDGE:
PC ACT (CBI) - 04, ROUSE AVENUE DISTRICT COURTS,
NEW DELHI.**

IA No.02/2025

RC 0032024A0035 Dated 08.09.2024

CBI Vs. Mohd. Arif & Ors. (Applicant Kishlaya Sharan Singh)

CBI/ACB/New Delhi.

U/s 61(2) of BNS 2023 r/w 7,7A & 8 of PC Act 1988 (as amended in 2018)

07.04.2025

Present : Sh. Shishr Mathur, Ld. Counsel for the applicant
Kishlaya Sharan Singh.

Sh. Hari Mohan, Ld. Sr. Public Prosecutor for CBI/
non-applicant.

This is an application moved on behalf of applicant seeking permission to travel abroad (Shanghai, China) from **19.04.2025 to 30.04.2025.**

Reply to the aforesaid application is filed. Copy supplied.

Arguments are heard on the application.

ORDER

1. It is, inter alia, pleaded in the application that the applicant is a partner in M/s TDC Pharma Tech. Filtration LLP engaged in manufacturing of wastewater treatment equipment. The copy of brochure of said firm is annexed as Annexure-B. The applicant intends to visit an international exhibition IE Expo China 2025 in Shanghai to explore a new product category for business expansion. The said exhibition will commence on 21.04.2025 and conclude on 23.04.2025. The participation of the

applicant is necessary for growth of his company The copy of the details of exhibition is annexed as Annexure-C.

1.2 It is further pleaded on behalf of accused/applicant that vide order dated 07.10.2024, the applicant was admitted to regular bail by the Court subject to certain conditions including that he shall not leave the country without permission of the Court. Hence, prayer is made for granting permission to travel abroad during the relevant period.

2. It is argued by Ld. Counsel for the accused/applicant that there is bonafide necessity of applicant to visit Shanghai, China to attend the aforesaid exhibition in the interest of his business there.

3. In the reply filed by the CBI, it is submitted that applicant herein is involved in the present case for the offences punishable under Section 61 (2) BNSS 2023 read with Section 7, &A & 8 of PC Act 1988. There are serious allegations against him.

4. Ld. Sr. PP for the CBI has vehemently opposed the present application stating that there is strong likelihood that applicant may flee away from the process of law and may not return to India which will result in hampering of the trial. Hence, prayer is made for dismissing the application.

5. **Heard and considered.**

6. The accused/applicant herein, by way of present application, seeks permission to travel abroad for business purpose being partner in M/s TDC Pharmatech Filtration in order to attend an international inhibition at Shanghai, China. The details of the exhibition is annexed as Annexure-C which also includes visit confirmation letter in the name of accused/applicant herein.

7. Vide order dated 07.10.2024, accused/applicant herein was admitted to regular bail subject to certain conditions including condition no.(iii) **that the applicant shall not leave the country without permission to the Court.** The regular matter is still at the stage of cognizance and the applicant is yet to be summoned to face the trial. Hence, the accused applicant has moved the present application.

The only plea taken in opposing the present application by the CBI is that there is apprehension of accused fleeing away from the process of law or not returning back. However, the said apprehension is not forthcoming from the record. Till date, there is no complaint regarding his misuse or violation of bail conditions by the accused/applicant herein. The regular matter is still at the stage of cognizance and the applicant is not yet summoned to face the trial. Hence, the ground taken by the CBI for opposing the present application is without any basis.

7. In view of the facts and circumstances, **the application in hand is allowed and applicant Kishlaya Sharan Singh is permitted to travel/ visit Shanghai, China from 19.04.2025 to 30.04.2025 subject to the following conditions:**

- (i) That Accused/Applicant shall furnish a security of 3,00,000/ (Three Lacs) in the form of FDR in addition to his personal surety bond in the like amount.
- (ii) That Accused/Applicant shall inform the Court about his arrival in India within 72 hours of his return and shall file copy of his passport showing departure and arrival back to India.
- (iii) That in any eventuality, the Accused/Applicant shall not request for extension of his stay abroad.
- (iv) That Accused/Applicant shall not tamper with evidence or influence witnesses in any manner and shall not use the permission granted to him contrary to the Rules.
- (v) That this permission shall be subject to other applicable rules and shall not be deemed as directions to any other authority except permission from the side of the Court.
- (vi) That during his stay abroad, the Accused/Applicant shall be represented before the Court by his counsel and no adjournment shall requested on his behalf due to his absence.
- (vii) That Accused/Applicant shall file an undertaking with affidavit that he shall not dispute his identity during the proceedings/trial conducted in the presence of his counsel during this period.
- (viii) That Accused/Applicant shall submit his addresses/itinerary in aforesaid country where he intends to stay alongwith his working contact number during this period.
- (ix) That Surety of Accused/Applicant shall undertake to accept notice, if any, on behalf of applicant/accused in his absence.

The application stands disposed off accordingly.

A copy of this order be given Dasti to Applicant/ his counsel.

(GAGANDEEP SINGH)
Special Judge, PC Act, CBI-04
Rouse Avenue Courts, New Delhi
07.04.2025