CBI Vs. M/s. Green Valley Plywood Ltd.
CC No. 278/2019
RC No. 6(E)/2015/BD1/CBI/BS&FC/ND
CNR No. DLCT11-001108-2019

11.05.2022

Present : Sh. V. K. Pathak, Ld. PP for CBI.

Sh. Satyam Thareja, Ld. Counsel for A-6 along with applicant / accused Ramesh Chander Juneja (A-6) in person.

1. This is an application moved on behalf of applicant/accused R. C. Juneja (A-6) for release of his passport for the purpose of renewal of his USA Visa.

2. Reply has been filed by the CBI to the above application of A-6. Copy supplied.

3. Arguments heard on the above application.

4. It is stated in the application that A-6 was released on bail vide order dated 11.03.2020, whereby this Court had directed him to deposit his passport in the Court and not to leave the country without permission of the Court. It is further stated that in compliance of the said directions, he had deposited his current passport along with his previous passports with the Court on 11.03.2020.

It is further stated that the said passport(s) are required for the purpose of renewing of the applicant's USA Visa, which is expiring on 30.07.2022. It is further stated that the passport(s) be released for a period of twelve weeks for the

above mentioned reasons, as the visa issuing process is taking considerable amount of time due to the ongoing pandemic of Covid-19.

It is further stated that the immediate family of the applicant / accused stays in USA, therefore, it is imperative for the applicant to have a valid USA visa, as he visits his family frequently. It is further stated that the applicant can start the process of renewal only after his original passport(s) are released to him, therefore, it is requested that the passport(s) of the applicant / accused be released to him. It is further stated that the applicant undertakes to deposit the passport(s) in the Court immediately after completion of Visa renewal formalities.

5. In the reply filed by the CBI, it is stated in paras 9 & 10 as under :

> **9. That in reply of the averments made in Para 5 of the application it is submitted the accused applicant has also not revealed the necessity of renewing visa for USA. It is further submitted that the present case is pending before the Hon'ble Court and same is listed for hearing upon arguments on charge. At this stage, the prosecution strongly opposes the move of the applicant to renew his visa as there is strong apprehension that the accused applicant might flee to abroad therefore, release of his passport for reasons mentioned in the instant application must be denied. It is further submitted that currently no LOC is in effect against the accused applicant.**

10. That the averments made in Para 6 of the application it is submitted that the accused applicant has also not revealed residential address and contact details of his family at USA and the details of how frequently accused applicant and his family met in the last preceding years are in the exclusive knowledge of the applicant. Therefore, the move of the applicant must be opposed for a fair trial of the case.

Therefore, it is stated that the above application filed by A-6 be dismissed.

6. I have gone through the rival contentions.

7. Vide order dated 11.03.2020, the applicant/accused Ramesh Chander Juneja (A-6) was granted bail with the condition that he will deposit his passport in the Court and will not leave the country without permission of the Court. Pursuant to the said order, the applicant / accused (A-6) had deposited his passport in the Court on 11.03.2020.

8. The IO in his reply has nowhere disputed the fact that the application is not bonafide or that the family of (A-6) is not residing in USA or that he has ever violated any of the conditions of his bail. In view of the above said facts and circumstances, in the interest of justice, the passport of the applicant / accused Ramesh Chander Juneja (A-6) be released to him for a period of 06 weeks from the date of its release, so as to enable him to process the renewal of his USA Visa, subject to the

following conditions: -

- **Accused (A-6) shall furnish security in the form of FDR/bank guarantee for a sum of Rs. 50,000/- (Fifty Thousand) 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 the same amount to the satisfaction of Court, after compliance of the above condition, his passport(s) be released to him for the above period, so as to enable him to process the renewal of his USA Visa.**
- **He shall surrender his Passport(s) in the Court immediately after the expiry of the above period of 06 weeks, without fail.**
- **Since the accused has not obtained any permission to travel abroad from this Court by way of this application in terms of the order of bail dated 11.03.2020, and since he will have both the passport and may also obtain the USA Visa, as discussed above, the interest of the prosecution to secure the presence of this accused during trial has to be balanced with the right to go abroad of this accused.**

Consequently, the IO / Investigating Agency is at liberty to open Look Out Circular (LOC) against the said accused for the above period i.e. till the passport is returned back by the said accused in the Court.

The above application is disposed off accordingly.

Copy of this order be given dasti to the applicant/accused (A-6) as well as Ld. PP for CBI, as prayed.

Put up on the date already fixed i.e. **27.07.2022**.

(Sanjeev Aggarwal)
Special Judge (PC Act)(CBI)-02
Rouse Avenue District Court
New Delhi/11.05.2022