

IA No. 4/2025

**CBI v Green Valley Plywood Limited & Ors.
FIR No. RC6(E)/2015/BDI/CBI/BS & FC/New Delhi
u/s 120B IPC r/w/420, 467, 468, 471 IPC and
Section 13(2) r/w 13(1)(d) of PC Act 1988**

03.05.2025

Present : Sh. Raj Kamal, Ld. PP for CBI.
Ms. Trisha Mittal and Ms. Femitha Fathima, Ld.
Counsels for **A-2 Jagmohan Kejriwal**.

This is an application of **applicant/A-2 Jagmohan Kejriwal** for temporary release of his passport bearing no. Z2004549 and issuance of no objection certificate and directions to the Passport Authority to renew passport of applicant for 10 years.

It is stated in the application that the applicant/A-2 was not arrested during the investigation by the CBI in the present case and vide order dated 31.01.2020, the applicant was granted regular bail subject to deposition of his passport. It is further submitted that in due compliance with the directions of the Court, the applicant duly surrendered his passport in the Court.

It is further submitted in the application that youngest son of applicant/A-2 is currently pursuing his master's in business management from Standford Graduate School of Business in California, USA and the applicant/A-2 alongwith his wife wishes to travel to the USA to visit their son in the near future and now the applicant/A-2 has discovered that his passport has already expired on 03.02.2020. Applicant/A-2 seeks the release of his original passport for the purpose of renewing the same and he undertakes to duly deposit his renewed passport

upon receiving the same. Applicant/A-2 further seeks the issuance of NOC by this Court as required in GSR 570(E) issued by the MEA vide Notification dated 25.08.1993 and directions to the Passport Authority to renew the passport for a duration of ten years from the date of issue instead of one year in terms with GSR no. 570(E) in Circular no. V.I/401/1/3/2014 dated 21.08.2014 and Office Memorandum no. VI/401/1/5/2019 dated 10.10.2019. It is further submitted that in terms of Section 22(a) of the Passport Act, 1967, a passport can be renewed even during the pendency of criminal proceedings however, for such renewal, the concerned jurisdictional court before whom the proceedings are pending must grant its No Objection in terms with GSR 570.

It is further submitted by the applicant/A-2 that he has also filed a similar application in Complaint Case no. 11/2020 titled *ED v Jagmohan Kejriwal and Ors.* before the jurisdictional court seeking a No Objection in the ECIR. It is further submitted by the applicant/A-2 that during the pendency of the investigation and commencement of proceedings, the applicant/A-2 and his wife had ceased all foreign travel and the applicant has always complied with all the conditions imposed upon him by this Court in the Bail Order and has never misused his liberty. It is further submitted that the trial in the present case has not commenced nor has charge has been framed till date.

It is submitted by the applicant/A-2 that most countries including USA, require a passport to be valid for at least six months beyond the intended date of entry into the country and renewal for one year would reduce the effective validity of the passport to six months. Since Rule 12 of the Passport Rules,

1980, stipulates the validity of a passport to be 10 years, so it is requested to grant the applicant/A-2 its No Objection for renewal of the passport for the entire duration of 10 years.

Reply to the application filed by CBI. In the reply, it is submitted that the charge-sheet in the instant case was filed on 04.07.2017 against other accused persons including A-2/applicant for offences punishable u/s 120B r/w 420 IPC and 13(2) r/w 13(1) (d) of PC Act 1988 and substantive offence of Section 420 and 471 IPC r/w Section 467/468 IPC. The cognizance of offences was taken on 13.01.2020 against all the charge-sheeted accused persons and the instant case is pending at the stage of framing of charges.

It is further submitted that the supplementary final report was filed in this case on 17.11.2017 and another supplementary final report dated 15.04.2024 was filed in the case qua CFSL Report and further investigation conducted in the instant case. It is submitted that during investigation, it was revealed that the applicant/A-2 was the director of M/s GVPL (A-1) during relevant period. This company was incorporated on 21.10.1993 and engaged in manufacturing of various kinds of plywood. It is submitted that during investigation, it is revealed that A-1 submitted forged and false documents for the purpose of issuance of LCs and discounting of bills against the LCs and directors of A-1 were in conspiracy with other accused persons to cheat the bank and LCs were opened by A-1 through fraudulent transaction and by furnishing fake proforma invoices purportedly issued in the name of 9 supplier companies/firms. The LCs were subsequently devolved and not paid by the company which

caused wrongful loss to the tune of Rs.70,49,59,760/- to the Indian Overseas Bank, Rohtak Branch and corresponding gain to the accused persons and the accused no.2/applicant played an important role in the instant case. It is submitted that incase, the accused no.2/applicant is granted permission for renewal of his passport, there is every likelihood that he may misuse the liberty given by the Court and since no LOC is opened against the accused/applicant, he may flee from the country to another country with which India has no extradition treaty and may never return to face the trial proceedings. It is further submitted that it is strongly apprehended that since his son is staying in USA, it is much convenient for him to arrange for settling abroad and therefore, it is requested to dismiss the application of the applicant/A-2.

Arguments on the application heard.

I have given my thoughtful consideration to the rival submissions and have perused the record carefully. Perusal of the record reveals that A-2 Jagmohan Kejriwal was admitted to bail vide order dated 31.01.2020 subject to the condition that he shall surrender his passport with the Court and shall not leave the country without permission of the Court.

In view of the aforesaid facts and circumstances, the application is allowed and it is clarified that this Court has no objection to the renewal of the passport of applicant/A-2 Jagmohan Kejriwal for a period of 10 years subject to the accused/applicant fulfilling other rules and regulations of the passport issuing authority.

The applicant/A-2 Jagmohan Kejriwal is directed to deposit his passport in the Court upon receiving the same after renewal in terms of the order dated 31.01.2020.

Copy of this order be given dasti to the accused/applicant and to the CBI, as prayed. Application is hereby disposed off.

ANKIT SINGLA
Special Judge (PC Act) CBI-02
RADC/New Delhi/03.05.2025