

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

IA-14/2024

CBI No. 354/2019

CBI V. Rakesh Tiwari (Applicant -NEERAJ RAJA KOCHHAR)

RC No-ACI-2018 -A-0014

CBI/AC-I New Delhi

Under Sections 120B read with 7,7A,8 of Prevention of
Corruption Act 1988.

20.12.2024

Present : Ms. Astha Nigam and Sh. Shivam Rajpal, Ld.
Counsel for the accused/ applicant.

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

This is an application moved on 10.12.2024 on
behalf of **applicant Neeraj Raja Kochhar** seeking permission to
travel abroad from **01.01.2025 to 31.12.2025**.

Reply is already filed by the CBI to the aforesaid
application. Copy supplied.

Arguments also heard.

ORDER

1 It is, inter alia, pleaded in the application that the
applicant/approver is the Chairman of M/s Viraj Profiles Pvt Ltd
(Formerly Viraj Profiles Limited). The said company is engaged in
the manufacturing and export of stainless steel long products and

almost 95% of the manufactured products are exported to various countries and therefore, the applicant being its Chairman has to travel alongwith team to foreign countries for business purposes. He resides at 24 Raj Vilas, New India Housing Society, 11th Road, Juhu, Mumbai-49. It is further pleaded that applicant/approver was initially named as Accused No.2 and he was enlarged on bail vide order dated 17.08.2018 imposing one of the conditions that he shall not leave the country without permission of the Court.

1.1 It is further pleaded on behalf of applicant that on 23.08.2018, he filed an application seeking pardon and approvership under Section 5 (2) of the PC Act. The said application was considered and the Hon'ble Court granted him pardon vide order dated 29.02.2020. Thereafter, his name was also deleted from the list of accused persons and CBI filed amended memo of parties in this regard.

1.2. It is also pleaded that after the bail order dated 17.08.2018, applicant herein sought permission to travel abroad which was granted to him from time to time. The last permission granted by this Court is vide order dated 15.12.2023 which is valid till 31.12.2024. The applicant has complied with all the conditions contained in the said order.

1.3 The M/s Viraj Profiles Pvt Ltd export its products majorly to UK, USA, Hong Kong, Thailand, Taiwan, Dubai, France,

Poland, Muscat, Oman, Italy, Switzerland, Netherland, Belgium, Turkey, Lebanon, Hungary, China, Brazil, Romania, Bulgaria, St.Lucia, Israel, Iran, Azerbaijan, Bahrain, Croatia, Serbia, Russia, Schengen countries, Argentina, Egypt, Singapore, Peru, Canada, Uzbekistan, Malaysia, Qatar, Kuwait, Saudi Arabia, Mexico, South Africa, Kenya, Korea, Australia, Colombia, Denmark, Fiji, Geogia, Greece, Indonesia, Japan, Bangladesh, Jorden, Maldives, Luxembourg, Maurititus, New Zealand, Vietnam, Tanzania, Philippines and Spain. The applicant needs to visit the aforesaid countries starting from 01.01.2025 till 31.12.2025 in intervals for business purposes. Hence, the applicant has moved the present application seeking permission to travel the aforeaid countries during the period starting from 01.01.2025 till 31.12.2025.

2. Ld. Senior Public Prosecutor for CBI has strongly opposed the application stating that as per the reply filed by the IO, the applicant / approver has not provided any document regarding his appointment abroad with any business associate in future or any urgency to visit abroad and even he did not mention about the dates of visit to overseas countries. It is further submitted that the absence of the applicant / approver may hamper the trial and proceedings, therefore his presence is required till his deposition in the case during trial proceedings before the Court. It is prayed that this application should be dismissed.

3. **Heard and considered.**

4. Vide order dated 17.08.2018, applicant Neeraj Raja Kochhar was admitted to regular bail with one of the conditions that **the applicant shall not leave the Country without the prior**

permission of the Court. Therefore, the applicant has moved the present application seeks permission to visit abroad from 01.01.2025 till 31.12.2025.

4.1 Vide order dated 13.12.2022, applicant /approver was permitted to travel to foreign countries for the period of one year i.e. 01.01.2023 to 31.12.2023 and **vide latest order dated 15.12.2023**, he was permitted to travel foreign countries for another one year w.e.f 01.01.2024 to 31.12.2024. He has thus travelled abroad with the permission of the Court in the present case as well as in the connected ED matter on earlier occasions as well. There is nothing on record to show that applicant/approver Neeraj Raja Kochhar ever misused the permission granted to him in that case as well as in the present case. He has been regularly filing the undertakings of his visits in terms of order dated 15.12.2023.

4.2 Ld. Counsel for applicant/ approver further stated that he is ready to give undertaking that he will be present in the court as and when required and trial shall never suffer because of this permission. No supporting material has been placed on record, which corroborates the apprehension expressed by CBI.

5. In view of the same above, the application in hand is allowed. **Applicant/approver Neeraj Raja Kochhar is allowed to travel to different countries as mentioned in prayer of the**

application for business purposes during the period 01.01.2025 to 31.12.2025 subject to following conditions:-

1. That the applicant /approver before leaving the country, shall file his itinerary before the Court informing about his date of departure, his date of arrival, place of residence abroad and his contact / telephone numbers.
2. That the applicant /approver within 72 hours of his return to India on every visit, shall inform the Court about his arrival. The applicant /approver shall also file the complete copy of his passport alongwith the copy of Visa in the Court on his return.
3. That the applicant / approver shall furnish an additional security of Rs. 20 lacs in the form of FDR to be deposited in the Court and if the earlier security is on record, it would suffice.
4. That the applicant / approver shall not pray for any extension of time for his stay abroad.
5. That the applicant / approver shall not tamper the evidence in any manner or try to influence the witnesses.
6. That 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.
7. That his Advocate/Counsel shall undertake to accept the notice from the Court / IO, if any, on behalf of the applicant / approver in his absence and shall further undertake that in case the presence of the applicant /approver is required during the aforesaid period, she shall immediately intimate the applicant / approver and the applicant / approver shall return to India within 48 hours.

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
RACC: New Delhi:
20.12.2024