

MISC DJ ASJ/317/2026
CC No. 70/2019
CBI v S.K. Mittal and Anr

27.06.2026

(Present proceedings have been conducted on Hybrid Mode)

Present : Sh. Hari Mohan, Ld. Sr. PP, Sh. Neel Mani and Sh. Deepak Poria, Ld. PPs for CBI, all physically present.

Applicant S.K. Mittal, through VC.

Sh. Sumit Mittal and Sh. Neelansh Mittal, sons of applicant, both physically present.

Sh. Anas Khan and Sh. Shahryar Khan, Ld. Counsels for applicant S.K. Mittal, both physically present.

1. Reply to the application of foreign travel filed today. Copy of the reply supplied to Ld. Counsels for applicant S.K. Mittal. Arguments heard. Record perused.

2. The applicant S.K. Mittal is a convict. He has been convicted in February, 2020 by the Trial Court of offences under section 120B of IPC read with sections 7/13(2)/13(1)(d) of PC Act. He preferred an appeal before Hon'ble Delhi High Court. His sentence was suspended by Hon'ble Delhi High Court vide order dt. 17.04.2020. The said order of Hon'ble Delhi High Court record that he will not leave India without prior permission of the Court below.

3. It is argued on behalf of CBI that the applicant is a convict and for this reason he should not be permitted to travel abroad. That apart, it is submitted that there is every likelihood of

the applicant fleeing the Court of justice.

4. On the other hand it is pointed out on behalf of the applicant that even after his conviction by the Trial Court in February 2020, he had travelled abroad in year 2022 and had not violated any of the conditions as imposed by the Court. It is also argued that right to travel abroad is a fundamental right as held in several decisions of Constitutional Courts.

5. Submissions heard. Record perused.

6. Order dt. 17.04.2020 of Hon'ble Delhi High Court permits the applicant to travel abroad after taking prior permission. That apart, the grievance of the CBI that he can flee the course of justice can be met by imposing suitable conditions.

7. In terms of this application, the applicant S.K. Mittal seeks permission to travel to United States of America from 29.06.2026 to 31.07.2026 to meet his son Mudit Mittal. It is submitted that earlier also (vide order dt. 06.06.2022) he was granted permission to visit USA and he had duly fulfilled all the conditions to the satisfaction of this Court. It is submitted that applicant S. K. Mittal is a senior citizen aged about 79 years and is a permanent resident of Delhi, having movable and immovable properties in India; that applicant has two sons (Sumit Mittal and Neelansh Mittal) who are living in India; that applicant does not have any property in USA and therefore there is no apprehension that he will flee from India.

8. This Court is inclined to allow this application.

Right to travel abroad has been held to be a fundamental right in several decisions of the Constitutional Courts.

9. It is submitted at Bar that applicant S. K. Mittal owns a property jointly with his son Neelansh Mittal and which property bears Flat No. 8032, 03rd floor, Tower – Olive, Parx Laureate, Plot No. GH – 01, 02 and 03, Sector – 108, Noida. It is submitted that the original property papers of this property may be ordered to be kept as security. It is pointed out that as per the Sale Deed dt.25.08.2022 this property was valued at more than Rs. 1.75 Crore.

10. In view of the averments made at Bar, it is hereby directed that the aforesaid Sale Deed shall be kept as security from the side of the applicant S. K. Mittal. It is made clear that in case the applicant flees the course of justice, this property shall vest with the State. Neelansh Mittal who is present before the Court states that he would have no objection if the said property is ordered to be vested with the State in case the applicant flees the course of justice. On a further query, it is submitted by counsels for the applicant that there is no charge created on this property with anyone else, be it any bank or any financial institution.

11. Consequently, applicant S.K. Mittal is permitted to travel to United States of America 29.06.2026 to 31.07.2026 subject to the following conditions:

- i. The original property papers (Sale Deed dt. 25.08.2022) of the aforesaid property is hereby kept as security from the side of Applicant S. K. Mittal. In case the applicant

flees the course of justice this property shall be ordered to vest with the State.

ii. A surety bond of Rs. 5 lacs shall be furnished.

iii. The applicant shall furnish an affidavit stating therein that he shall return to India by 31.07.2026.

iv. In any eventuality, applicant will not request for extension for staying abroad.

v. He shall not tamper with the evidence or try to influence any witness in any manner and will not use the permission granted to him contrary to the rules.

vi. 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.

vii. He will submit the address of his stay in USA along with telephone/contact numbers and e-mail address(es). He will also file his schedule of travel to USA.

viii. His surety/Ld. Counsels will undertake to accept notice(s), if any on behalf of applicant in his absence.

ix. He will not create any third party interest in any of his immovable properties situated in India or abroad with permission of the Court during this period. In particular, no third party interest shall be created in the aforesaid Flat No. 8032, 03rd floor, Tower – Olive, Parx Laureate, Plot No. GH – 01, 02 and 03, Sector – 108, Noida till the time the applicant does not return to India.

x. Neither he nor his counsels will object to the carrying of the trial/inquiry during the absence of above applicant.

xi. In case of any of the above conditions are violated, the securities furnished shall be forfeited to the State.

xii. Within 72 hours of his arrival in India, he shall intimate the Court about his return.

12. Accordingly, the application of applicant S.K. Mittal is **disposed of**. Order *dasti*.

(M. P. Singh)
Vacation Judge/Special Judge (PC Act) CBI-02
RACC/New Delhi/27.06.2026