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

IA No.13/2025

CBI No. 30/2024 (CNR DLCT11-000071-2024)
CBI Vs. M/s Indian Technometal Co. Ltd & Ors.
(Applicant Shakti Ranjan Dash)
RC 050 2021A 0004
CBI SC-II, New Delhi
U/s 120B r/w 420/468 & 471 IPC & 13 (2) r/w 13 (I) (d)
of P.C Act 1988

26.03.2025

Present : Sh. Rony O. John, Mr. Shivam Batra & Mohd. Ibrahim,Ld. Counsel for applicant Shakti Ranjan Dash.

Applicant Shakti Ranjan Dash **(through VC).**

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

I.O/Dy.S.P. Subhash Chander, CBI/SC-II/ND.

This is an application moved on behalf of applicant /A-20 Shakti Ranjan Dash seeking permission to travel abroad **(Bangkok and Cambodia) from 31.03.2025 to 11.04.2025.**

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

Arguments are also heard.

ORDER

1. It is, inter alia, pleaded in the application that the applicant is a director/shareholder in M/s Almighty Natural

Resources (Cambodia) Co. Ltd which is incorporated under the laws of Cambodia and engaged in the business of mining activities in Cambodia and other countries. It is further pleaded that the applicant needs to travel to Bangkok and Cambodia from 31.03.2025 to 11.04.2025 for his business engagements & physical inspection of mines that are explored by applicant's company there. The said visit during the relevant period is essential for business interests and fostering relationship in ongoing business operation in the said countries.

1.1 The accused/applicant has booked his tickets for the said visit which are annexed alongwith the application as Annexure A-2. Details of accommodation during the said travel period in the country too is given in para-8 of the application.

1.2 It is further pleaded that the accused/applicant herein had previously sought permission to travel Cambodia, Republic of South Africa, Abu Dhabi, UAE vide separate applications which were allowed by this Hon'ble Court vide orders dated 31.07.2024, 03.09.2024, 09.10.2024, 13.11.2024 and lastly on 09.01.2025 subject to certain conditions. The applicant herein adhered to the said terms and conditions and returned to India.

1.3 It is further pleaded on behalf of accused/applicant that vide order dated 03.07.2024, 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 aforesaid countries 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 120-B read with 420/468/471 IPC and Section 13 (2) r/w 13 (i) (d) of P.C Act. There are serious allegations against him of conspiracy and forgery.

4. Ld. Sr. PP for the CBI has opposed the present application stating that despite having two more directors in the firms allegedly hold/run for various commercial activities, accused/applicant herein keeps on filing applications for travelling to different countries in the name of the business activities. It is further submitted by Ld. Senior PP that applicant herein has not filed any record showing the justification or urgency on the part of the firms to depute only one director i.e. A20/applicant herein for travelling abroad for alleged inspection/ commercial activities. Further, it is reiterated that there are serious allegations against applicant herein of submitting false, forged and fabricated documents to cause wrongful loss to consortium of banks and corresponding wrongful gain to himself and other accused persons.

4.1. It is further argued that there is strong likelihood that applicant may not return to India which will result in hampering of the trial. One of co-accused namely Rakesh Sharma is already absconding. Hence, prayer is made for dismissing the application.

5. Heard and considered.

6. Vide orders dated 31.07.2024, 03.09.2024, 09.10.2024 13.11.2024 and latest dated 09.01.2025, accused/applicant herein was granted permission to travel abroad by the Court subject to certain conditions.

6.1 As far as the plea of the CBI that applicant has not shown the compulsion or necessity to visit abroad is concerned, the same does not hold good as applicant herein has given in detail the purpose of his visit in Para-6. It is also submitted that applicant being the director/shareholder of M/s Almighty Minerals Pvt Ltd and M/s Manganex Mine (PTY) Ltd is required to visit aforesaid countries in the interest of his business. It is not for CBI to dictate the applicant as to who should visit abroad for their business.

6.2 As far as other plea of CBI that there is apprehension of accused fleeing away from the process of law or not returning India is concerned, the same is not forthcoming from the record. Besides the permission granted to the applicant herein by the Court to travel abroad vide aforesaid orders, he even visited in January 2025 after the filing of the charge sheet and returned back. Till date, there is no complaint report regarding his misuse of liberty granted to him. The applicant herein complied with all the terms conditions contained in the said orders for travelling abroad.

7. In view of the facts and circumstances, **the application in hand is allowed and applicant <u>Shakti Ranjan Dash is permitted to travel/ visit 31.03.2025 to 11.04.2025</u> subject to the following conditions**:

(i) That Accused/Applicant shall furnish a security of Rs. FIVE 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 <u>copy of his passport showing departure and arrival back to India.</u>

(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 abroad 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

Digitally signed by GAGANDEEP SINGH
Date: 2025.03.26 14:32:10 +0530

(GAGANDEEP SINGH)
Special Judge, PC Act, CBI-04
RADC: New Delhi: 26.03.2025