

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

IA No. 24/2026

CBI No. 30/2024 (CNR DLCT11-000071-2024)

CBI Vs. M/s Indian Technometal Co. Ltd & Ors.

(Applicant SITA RAM GUPTA)

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**

13.02.2026

**Present : Sh Sunil Seth (VC), Ld. Counsel for applicant Sita
Ram Gupta.**

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

HIO/Dy.S.P. Subhash Chandra.

**This is an application moved on behalf of applicant
seeking permission to travel abroad i.e United Arab Emirates
(UAE) from 06.03.2026 to 12.03.2026.**

**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 present case is pending and fixed for arguments on charge. It is further pleaded that as per the condition of the bail granted to accused/ applicant, he cannot travel abroad without prior permission of

this Hon'ble Court. The applicant wishes to travel abroad i.e UAE and more specifically Dubai, Abu Dhabi and Sharjah from 06.03.2026 to 12.03.2026 alongwith his wife and other family members as a Tourist. Copies of air-tickets are annexed as Annexure A-1.

1.1 It is further pleaded that freedom to travel abroad is a fundamental protection or right available to a person under the expanded meaning under Article 21 read with Article 19 of the Constitution of India subject to restrictions placed by due process of law.

1.2 It is also pleaded that the applicant is willing to abide by any condition which may be imposed by the Court. The applicant has no intention to settle out of India. He has clean antecedents and has deep roots in the society. His entire family is settled in India and there is no likelihood of his evading the process of law.

2. It is argued by Ld. Counsel for the accused/applicant that applicant wishes to visit aforesaid country alongwith his family as a Tourist.

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 which caused wrongful loss to

consortium of banks and corresponding wrongful gain to himself and other accused persons.

4. Ld. Sr. PP for the CBI has opposed the present application stating that the reason for visiting abroad is not a cogent ground. 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 order 28.05.2024, the accused/applicant herein was admitted to regular bail by this Court as he was charge-sheeted without arrest with condition No. **(III) that the applicant/accused shall not leave the country without permission of the Court.** Hence, the accused/applicant herein has moved the present application seeking permission to travel abroad.

7. As far as the plea of the prosecution that there is no cogent reason shown by the applicant for travelling abroad is concerned, it is also well settled proposition of law that right to travel abroad is part of fundamental rights protected under Article -21 of the Constitution. No person can be deprived of the said right except in 'exceptional circumstances'. To support this, I am guided by the judgment of Hon'ble Supreme Court in case titled **Satwant Singh Sawhney V. D. Ramarathnam, AIR 1967 SC 1836.**

The Investigating Authority has failed to show any such exceptional circumstances in the present case.

7.1 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. There is no complaint qua misuse of the said liberty granted to him vide order dated 28.05.2024.

8. In view of the facts and circumstances, **the application in hand is allowed and applicant SITA RAM GUPTA is permitted to travel/ visit United Arab Emirates (UAE) from 06.03.2026 to 12.03.2026 subject to the following conditions:**

- (i) That Accused/Applicant shall furnish a security of Rs. TWO 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 copy of his passport showing departure and arrival back to India.
- (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)
Special Judge, PC Act, CBI-04
RADC: New Delhi:13.02.2026