

CBI No.287/19

CBI vs N E Television Network Pvt. Ltd. & Ors.

CNR No.DLCT12-000881-2019

18.10.2024

Ld. PO has been promoted to DHJS. This is a vacant court.

File taken up on the application filed on behalf of applicant/accused No. 4 Nagesh Kumar Behl, seeking permission for travelling abroad during 19.10.2024 to 26.10.2024 in compliance of Order dated 11.04.2018.

Present: Ms. Saloni, Id. APP for the CBI.
Mr. Abhinav Kathuria and Mr. Saurabh Nagar, Id.
Proxy counsels for the applicant/accused No.4.
Applicant/accused no.4 Nagesh Kumar Behl in person.
HIO SI Tarun Kumar in person.

This is an application of applicant/accused no.4 Nagesh Kumar Behl seeking permission to visit abroad i.e. France and Belgium from 19.10.2024 to 26.10.2024. It is submitted by Id. Counsel for the accused/applicant that this court, vide its order dated 06.06.2024 has already granted permission to the accused/applicant No.4 to travel to the UK, UAE and Singapore from 08.06.2024 to 31.10.2024. The accused /applicant No.4 now intends to visit France and Belgium from 19.10.2024 to 26.10.2024 and will also travel to London, UK in pursuant to the permission granted by the previous order.

Reply thereto has been filed by the CBI opposing the present application. Copy supplied.

It is inter alia contended in the reply of the CBI that the case is at the stage of charge and presence of applicant is very much required during the court proceedings. It is further contended that the applicant/accused no.4 Nagesh Kumar Behl may flee from the justice and may not return to India which shall hamper the judicial proceedings against the applicant/accused no.4. Nagesh Kumar Behl.

On the other hand, the applicant/accused no.4 submits that on various occasions the applicant/accused has travelled abroad with the permission of the Court and has not misused the liberty. Further, the applicant undertakes to give detail itinerary containing exact date of travel, address where applicant/accused will be staying and contact number prior to the date of travel i.e. 19.10.2024.

Heard. Record perused.

In view of the facts and circumstances of the case and considering the overall facts including that the applicant/accused no.4 Nagesh Kumar Behl has previously on various occasions travelled abroad, the applicant/accused no.4 Nagesh Kumar Behl is granted permission to travel to visit abroad i.e. France and Belgium from 19.10.2024 to 26.10.2024 on following conditions:-

- a. That he shall furnish an FDR in the sum of Rs. One lac in his name with undertaking that amount shall stand forfeited if he fails to return in time.
- b. That he shall furnish the addresses of his stay abroad alongwith telephone/contact numbers prior to the date of his departure from India.
- c. That he shall not seek extension of his stay abroad on any other ground including medical grounds.
- d. That he shall authorize his counsel to receive notice on his behalf during his stay abroad.
- e. That he shall properly instruct his counsel for proceeding further in the case during his stay abroad and no adjournment shall be sought by his counsel for lack of instructions from the accused. The accused shall also not dispute his identity at a later stage or take the plea of any prejudice having been caused to him due to his absence.
- f. In case any of the above conditions is violated, the surety/FDR shall stand forfeited.
- g. That applicant/accused no.4 Nagesh Kumar Behl will inform about his arrival in India within seven days of his return to Delhi.
- h. 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.

Application of the accused/applicant seeking permission to travel abroad is accordingly stand disposed of.

It is clarified that this order will became operational upon fulfillment of the aforesaid conditions.

The applicant/accused shall file his detailed Itineraries alongwith exact date of travel, address where

applicant/accused will be staying and contact, prior to date of travel to each country.

Copy of this order be also given dasti to ld. counsel for accused/applicant Nagesh Kumar Behl as requested.

(Priyanka Rajpoot)
ACMM-04/Link to CJM
RADC/New Delhi
18.10.2024