

**IN THE COURT OF
NAVEEN GUPTA
SPECIAL JUDGE (PC ACT)-12
ROUSE AVENUE COURT COMPLEX, NEW DELHI.**

CNR No. DLCT11-000146-2022

CC No. 19/2022

CBI Vs R. S. Moni & Others.

16.05.2023

Present: Sh. Ashwani Joshi, Ld. Sr. PP for CBI.

Sh. Rohan Malik, Sh. Harsh Trivedi and Sh. Yash Saini, Ld. counsels for applicant/A-5 Sunil Kumar Grover.

Matter has been listed today for arguments on the application moved on behalf of A-5 Sunil Kumar Grover seeking permission to go abroad.

It has been stated in the application that vide order dated 31.08.2022, applicant/A-5 was enlarged on bail by the Court on the condition that he will not leave the Country without seeking permission of the Court. The applicant is senior citizen having retired from the rank of Brigadier from Indian Army on 31.01.2018 and has two children namely Mrs. Sonali Grover Randeria and Mr. Satvik Grover.

The applicant seeks permission to go abroad i.e. London from 01.07.2023 to 30.09.2023 to visit his toddler grandson and his daughter Mrs. Sonali Grover Randeria, who resides and works in London, to take care of his grandson Aaryav Rohan Randeria who was born on 09.01.2022 and desires to provide ease to his working daughter who has to attend work on regular basis. Applicant further submits that on his visit to London he will be residing at 22, Claignmar Garden, London,

United Kingdom-N3 2HR and could be contacted on mobile phone No. + 44 7483935741 i.e. the residence and mobile number of his daughter Mrs. Sonali Grober Randeria, who is currently working and employed with PwC, London and will be residing at the same place during his entire stay at London. Applicant also undertakes to attend the hearing through virtual conference mode. The birth certificate of his grandson has also been annexed with the application.

It has been further stated that during the pendency of investigation, the applicant had cooperated with the CBI officials and also appeared before the CBI on multiple occasions. During investigation, the applicant has travelled abroad twice i.e USA from 11.09.2018 to 12.11.2018 and to London from 08.12.2021 to 19.05.2021 and has duly returned to India each time. Therefore, there is no apprehension that the applicant may flee the country. The applicant has been regularly appearing before the Court as and when called upon and has no past negative antecedents.

It has been further stated that the applicant would not dispute his identity in the proceedings held in his absence during his visit to London. No prejudice is going to cause to CBI in case the applicant is allowed to travel abroad to visit his grandson and daughter.

In the reply filed by CBI, it has been stated that the applicant/A-5 was charge sheeted by CBI on 10.03.2022 alongwith other accused persons. The cognizance against the applicant has been taken by the Court on 21.07.2022 and the case is at the stage of arguments on Charge. The applicant is accused of serious offence of corruption.

It has been further stated that documents annexed in support of his claims have not been verified, therefore, cannot be taken on the face value. The applicant may not be allowed to travel abroad at this stage of trial. The prosecution strongly objects the request of applicant for attending the hearing through visual mode as there is strong apprehension that he may flee from the process of law by using this opportunity to travel abroad. The averments made by the applicant regarding co-operation with CBI is denied and misleading. The previous permission granted to the applicant does not ipso facto confirm any right to travel abroad. The case is at the stage of arguments on Charge and therefore, application to travel abroad for such a long duration of almost 03 months, if allowed, would prejudice the ongoing trial.

I have heard Ld. Counsel for the applicant/A-5 and Ld. Sr. PP for CBI.

Taking into consideration that applicant is seeking permission for a limited period to visit abroad and that too, to see his toddler grandson and his daughter and the fact that he has also provided the address and contact number during his stay abroad, the application is allowed and the applicant/A-5 Sunil Kumar Grover is allowed to visit London, UK from 01.07.2023 to 30.09.2023 subject to following conditions.

1. The applicant, before leaving the country, shall file his itinerary before the court informing about his exact date of departure, his date of arrival, and his other telephone numbers, if any.
2. On his return to India, the applicant within 48 hours of his return, shall inform this court about his arrival.

3. The applicant shall furnish a security of Rs. 25 lacs in the form of FDR in the court. The FDR be submitted within a week from today.

4. The applicant shall not pray for any extension of time for his stay abroad.

5. The applicant shall not seek any adjournment during trial of this case on the ground of his being out of India. He shall also ensure his representation through his counsel on each day of listing this case before the Court during his stay abroad.

However, as the case is at the stage of arguments on Charge. In case, the Court orders for framing of Charge against the applicant/accused, he shall be present in person in the Court at the time of framing of Charge. In all other proceedings, he shall be represented through his counsel. The security amount has been fixed considering the aspect that the applicant is contemplating travelling abroad for a period of 03 months at a stretch.

This permission is only a permission granted by this Court concerning the present trial and shall not operate as permission, direction or order to any other authority who has a right to stop the applicant/accused Sunil Kumar Grover from traveling abroad.

A copy of this order be given dasti to the applicant/his counsel and also to Ld. Sr. PP for CBI.

(NAVEEN GUPTA)
Spl. Judge (PC Act) CBI-12
RACC/New Delhi/16.05.2023