

CBI 41/2019

CBI Vs. HARVINDER SINGH @ RAVI

CNR No. DLCT12-000123-2019

19.09.2024

Present: Mr. Darshan Lal, Ld. Sr. PP for CBI.
A1 Harvinder Singh @ Lucky @ Ravi in person.
A2 Paramjeet Singh @ Guddu in person.
A3 Yuvraj Prasad Aggarwal @ Sachdev Soren @
Sahdev Soren @ Ranjit in person.
A4 Pradeep Kumar Jaiswal is absent.
A5 Vijay Thakur is present in person.
Sh. Rahul Kasana, Ld. Proxy Counsel for A1, A2
and A5.
Sh. R.K.Ruhil, Ld. Counsel for A1, A2 and A5
present through VC.
Ms. Sunita Rani Sharma, Ld. LAC for A3 and A4.
IO/Inspector Tarun Gaur is absent.

Exemption application on behalf of A4 Pradeep Kumar Jaiswal is moved. As per the last order, an opportunity was granted for filing of documents to A4 to show his inability in appearance before the court. Neither the documents have been filed nor he has appeared. Further, perusal of the record shows that on 25.04.2024, 04.03.2024, 03.01.2024, 02.11.2023, 01.09.2023, 06.07.2023, 30.05.2023 and several other dates, the accused had not appeared. Accordingly, it seems that the accused A4 is deliberately not appearing before the court. Accordingly, **issue Bailable Warrants in the sum of Rs. 5000/- against the accused A4 Pradeep Kumar Jaiswal with one surety of like amount, to be executed through HIO/IO for next date.**

Oral request for exemption is made by ld. Sr. PP for CBI on behalf of IO on the ground that he is busy in investigation of another case in Patna. Exemption allowed for the reasons mentioned for today.

Brief arguments on the aspect of charge heard.

A3 submits that his brother was undergoing dialysis due to which he was unable to appear on 04.03.2024 as well as on 25.04.2024. He has filed certain documents in this regard. Further, ld. Counsel for A5, submits that A5 could not appear on 04.03.2024 as his train ticket got cancelled and he has filed certain documents in this regard, in terms of previous order. The said documents are taken on record. Accused persons are warned to be careful in future.

Reply to the application of applicant/accused Harvinder Singh filed by ld. PP for CBI.

Arguments on the application of applicant/accused Harvinder Singh for granting permission for renewal of passport heard.

To come up for order on the application today at **04.00 PM.**

Ld. PP for CBI submits that another opportunity may be granted for filing of the brief synopsis. Perusal of the file shows that since the last two dates of hearing the brief synopsis

have not been filed. The brief synopsis be positively filed on the next date.

At this stage, accused A3 Yuvraj Prasad Aggarwal submits that he be provided with a legal aid counsel, considering that Ms. Sunita Rani, Ld. LAC has apprised him that she is no longer with DLSA. Ms. Sunita Rani also submitted that she has apprised DLSA that another LAC should be provided to the accused persons.

Copy of this order be given dasti to A3 Yuvraj Prasad Aggarwal and copy of this order be sent to the Id. Secretary, DLSA, RADC, New Delhi.

List for further arguments on charge and filing of brief synopsis by CBI on **02.12.2024**.

(Sonam Singh-I)
CJM/RADC/New Delhi
19.09.2024

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CNR No. DLCT12-000123-2019

19.09.2024
At 04:00 PM

ORDER

Present: Mr. Darshan Lal, Ld. Sr. PP for CBI.
A1 Harvinder Singh @ Lucky @ Ravi in person.
Sh. R.K.Ruhil, ld. Counsel for A1 present through
VC.

By way of this order, I shall dispose of the application filed by the accused/applicant Harvinder Singh for renewing his passport bearing No. F9183556 expired on 13.08.2016.

Reply on behalf of CBI filed. Copy supplied to ld. Counsel for applicant/accused.

Ld. Counsel for the applicant/accused A1 Harvinder Singh @ Lucky @ Ravi submits that the passport of applicant/accused bearing No. F9183556 has expired on 13.08.2016.

As per the reply, it is stated that the applicant/accused has not provided the copy of his passport nor stated the passport office from which the old passport was issued. It is also stated that it is not stated by the applicant/accused as to the passport office from which the applicant/accused wants to get his passport renewed. Further, ld. PP for CBI argued that the applicant/accused has not disclosed the purpose for which the applicant/accused requires the renewal of the passport. Further, it is stated that there is an apprehension that the applicant/accused may flee from the course of justice and hence, his application to renew his passport may be dismissed.

Submission heard. Record perused.

It is pertinent to mention that the Hon'ble Apex Court in the case of **Maneka Gandhi vs. Union Of India & Anr. (1978) 1SCC248** held that right to travel is a facet of personal liberty which is duly acknowledged by the courts of India and is protected by Article 21 of the Indian Constitution.

In view of the contents mentioned in the application, this court has no objection in case the passport of the applicant A1 Harvinder Singh @ Lucky @ Ravi (**passport bearing no. F9183556, expired on 13.08.2016**) is renewed by the competent authority as per their rules. Further, this order will not be construed as permission to travel abroad.

Further, it is made clear that this order shall not be construed as any direction to the competent authority for issuance of passport and the same should be granted only on satisfaction of other conditions and as per rules.

Application is disposed of accordingly.

Copy of this order be given dasti to the Ld. Counsel for applicant/accused as per request.

File be put up on the date already fixed for the purpose fixed.

(Sonam Singh-I)
CMM/RADC/New Delhi
19.09.2024