IA No. 13/2024
in Ct Case 122/2021
ED Vs. M/s Unitech Ltd. & Ors.
(Preeti Chandra)

29.11.2024

This is an application for seeking permission to travel outside the Delhi/NCR within the country of the applicant Preeti Chandra.

Present: Sh. N.K. Matta and Sh. Simon Benjamin, Ld. SPPs for ED have joined through VC and Sh. Aditya Raj Sharma and Sh. Rohit Singh, Ld. Counsels for ED present physically.
Sh.Vishal Gosain, Sh. Anuroop Chakravarti and Sh. Ajunee Singh, Ld. Counsels for the applicant.
Applicant has joined the court proceedings through VC.

1. Ld. SPPs for ED submits that they do not intend to file any formal reply to this application.

2. Ld. Counsel for the applicant has placed on record the copy of order dated 25.11.2024 of the Hon'ble Supreme Court of India. As per said order, the condition no.4(i) in the bail order of the applicant is modified and substituted to the extent that the applicant shall not leave the limits of the NCR Region without the permission of the concerned Special PMLA Court at Patiala House.

3. In view of the said modification in the condition of the bail order of the applicant, the applicant has moved the present application for seeking permission to travel to Ramshehar, Solan Sub-Tehsil Nalagarh, Himachal Pradesh and Chandigarh (U.T.) for the period w.e.f. 01.12.2024 to

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03.1202.204 for professional assignment and also for permission to travel to Shirdi Shrine, Pune, Nasik, Shani Shingnapur and Mumbai in Maharashtra for the period w.e.f. 04.12.2024 to 08.12.2024 for religious purposes.

4. Heard. The application is carefully perused.

5. Ld. Counsel for the applicant submits that if she is permitted to undertake the said domestic travel, no prejudice is likely to be caused to the case of the prosecution. The said innocuous travel is proposed to be undertaken by the applicant purely for her professional commitment and religious purpose.

6. Ld. SPPs for the ED has opposed the application mentioning that there are chances that applicant might flee from the process of law.

7. As per Article 19(i)(d) of the Constitution of India, all the citizens have fundamental right to move freely throughout the territory of India. The said fundamental right can only be curtailed subject to the reasonable restrictions contained in Clause 5 of the said Article. The prosecution has failed to cite any justified reason for curtailing her said right and to decline her request made in this application.

8. Keeping in view the fact that there are no allegations against the applicant that she misused the concession of bail granted to her, I find no impediment in granting the permission sought by the applicant. Further, her said travel is not likely to impede the progress of trial of this case and it is not likely to prejudice the case of the prosecution.

9. Accordingly, the present application is allowed and she is permitted to undertake the travel to the places on the dates

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as sought in this application on furnishing personal and surety bonds in the sum of Rs. 50,000/- (Rupees Fifty Thousand Only). If the next date of hearing of her case falls on any of the said dates of travel, the applicant shall appear in the Court through VC.

8. Application stands disposed of.

9. Copy of the order be given *dasti*.

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(Dheeraj Mor)
ASJ-06/NDD/PHC
New Delhi: 29.11.2024