

MHPU01-008764-2011



Special Case No.18/2011

Central Bureau of Investigation

Vs.

R.Balsubramaniam and 11 others

ORDER BELOW EXH.376

1] Applicant / accused Ashok Kumar Chopra has filed this application seeking permission to travel Ontario, Canada and stay there from 15/7/2023 to 15/9/2023. He submitted that he required to go Canada as his daughter is residing at Canada and she is pregnant. He required to assist his daughter. During his stay at Canada his address will be Sidhart Bakshi, 1215, Oakville, Ontario. He further submitted that he is law abiding citizen and having deep roots in the society. He is having immovable property situated within the jurisdiction of this Court. He is ready to abide by any condition impose upon him. As such applicant prayed to allow his application.

2] CBI has filed say vide Exh.390. It is submitted that trial in the case is yet to be started and charges in the case are about to be framed. At this crucial stage it is apprehended that if the applicant is allowed to go to abroad for two months, he may not come back to face the trial. Hence, prayed that application be rejected.

3] Heard both sides. The case is for framing of charge. However, in the present case 9 accused persons are facing trial. Accused no.1 R. Balsubraniam and accused no.9 Vivek Gupta

approached the Hon'ble High Court against the order of this Court below discharge applications and the matter is stayed by the Hon'ble High Court. As the case is stayed by the Hon'ble High Court there does not appear any possibility of proceeding the matter further in near future. As such the application filed by the applicant / accused can be taken into consideration.

4] Applicant / accused has filed on record pursis reflecting his address at Canada. He has also filed copy of his passport. Application is supported by his affidavit. Record reveals that applicant was serving in reputed Company Ashok Leyland Limited on a senior position and he retired in the year 2017. Applicant submitted that he is having immovable property within the jurisdiction of this Court. Considering the reason of visit stated by the applicant / accused and allegations against him in the charge-sheet, I do not think there is chance to flee him from the court of justice. Further, applicant orally submitted that if this Court thinks that his presence is necessary then he will return if 15 days prior intimation given to him. So also case is stayed by Hon'ble High Court. So in my considered opinion, at this stage, permission of travel to Canada and stay there from 15/7/2023 to 15/9/2023 can be granted to applicant. Applicant is ready to abide by all the terms and conditions which may be imposed upon him. Therefore, it would be proper to allow the accused applicant to travel abroad. Hence, the order -

ORDER

a] Applicant / accused **Ashok Kumar Chopra** is

permitted to travel to Canada and stay there from **15/7/2023 to 15/9/2023.**

- b] The order is subject to condition that accused shall furnish his email address, working mobile cell number and detailed address of his stay at Canada during the aforesaid period. He shall give an undertaking that if his presence is required during the aforesaid period he shall come back on receipt of summons on his email address.
- c] Applicant / accused shall submit appearance report and copy of passport showing entries in respect of the schedule for which the permission is granted, after his arrival in India.

Date – 15/6/2023

(A.S.Waghmare)
Special Judge (CBI-ACB cases)
Pune.

I affirm that the contents of this P. D. F. file Order are same word for word as per original Order.

Name of the Court	:-	Shri. A. S. Waghmare Special Judge, CBI, ACB, Pune.
Name of the Steno	:-	Smt.B.R.Jakka Stenographer (Grade-I)
Date of Order	:-	15/6/2023
Order signed by presiding officer	:-	15/6/2023
Order uploaded on	:-	15/6/2023