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Special Case No.43/2017
CNR No. MHPU01-012364-2017

CBI, ACB, Pune.
Vs.
Lt.Gen. (Retd)Jatinder Singh and others

ORDER BELOW EXH.227

1] Accused **Karan Ramesh Kapoor** along with other co-accused is charge-sheeted for the offences punishable under section Section 120-B r.w. 420 of Indian Penal Code and u/sec. 11, 13(2) r.w. section 13(1)(d) of the Prevention of Corruption Act, 1988.

2] Accused Karan Ramesh Kapoor has filed this application and submitted that his daughter and sister-in-law are residing at England, United Kingdom. His daughter is studying there and sister-in-law is permanent resident of UK. He want to spent time with them. It is further contention of applicant that the present matter is stayed by Hon'ble High Court and there is no possibility that the matter can be heard on top priority. He is ready to abide by the terms and conditions imposed upon him. On these aforesaid grounds, he is seeking permission to travel to England, United Kingdom and stay there from **15/10/2022 to 14/11/2022**. Therefore, this application.

3] CBI has filed the say vide Exh.236 and submitted

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that the present crime has been registered against accused persons under section 120-B r.w. 420 of Indian Penal Code and u/sec. 11, 13(2) r.w. section 13(1)(d) of the Prevention of Corruption Act. During investigation it is revealed that accused public servant favoured M/s. Kapoor and Company. The present applicant / accused and Ramesh Kapoor, ignoring all the rules laid down in Defense Procurement Manual, resulting into the awarding of tender to the local Vendor, in respect of purchase of branded clothing's for the Cadets of NDA, despite of having various complaints on record against M/s Kapoor & Co. made by cadets. The presence of the accused is required for framing of charge and at the time of trial. If applicant / accused is allowed to travel abroad, there is reasonable apprehension that he may abscond. Hence, prayed to reject the application.

4] Heard both sides.

5] There are in all six accused in the present crime. Accused no.2 & 4 have been discharged. Applicant is accused no.5. Applicant along with accused no.3 preferred revision against order of this Court dtd.01/4/2019 on discharge applications Exh.166 & 167. The case is stayed by Hon'ble Bombay High Court. The applicant / accused is ready to attend the court hearings as and when required. Daughter and sister-in-law of applicant/ accused are residing at England, United Kingdom. Application is supported with affidavit. He is ready to give schedule of travel. He along with his wife and son is

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intending to reside for one month with his daughter and sister-in-law at United Kingdom. He being a father has legal right to stay with his children. The trial is not yet commenced.

5] Considering the facts stated by the applicant / accused and allegations against him in the report, I do not think there is chance to flee him from the court of justice. The applicant / accused has sought permission to travel abroad from **15/10/2022 to 14/11/2022**. In the present matter charge is yet not framed and the matter is stayed by Hon'ble Bombay High Court. If the presence of applicant / accused is required, he can be called at any point of time whenever required by the Court. He is ready to abide by all the terms and conditions which may be imposed upon him. Therefore, it would be proper to allow the applicant / accused Karan Ramesh Kapoor to travel abroad for period as sought for. Therefore, I pass following order -

ORDER

- a] Accused **Karan Ramesh Kapoor** is permitted to travel to England, United Kingdom and stay there from **15/10/2022 to 14/11/2022**.
- 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 England, United Kingdom 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.

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- 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 – 08/09/2022

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

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I affirm that the contents of this PDF file order are same word for word as per original order

Name of Steno : Smt. B.R.Jakka, stenographer grade 1

Court Name: : Shri. A.S.Waghmare
Special Judge (CBI-ACB), Pune.

Order signed by PO : 08/09/2022

Date of PDF : 08/09/2022

Order uploaded on : 08/09/2022