

Special Case No. 04/16
Reg No.02/22
CNR No. WBCS01 000002-2022
Order No.219
Order dated 21.09.24

Today is fixed for hearing petition dated 18.09.24 for permission of accused petitioner Prateek Bhalotia (A4) to travel abroad at Germany(Barlin), Belgium (Brussel) and UAE (Dubai) in between period 22.09.24 to 16.10.24 for the purpose of business and tourism.

Today accused petitioner Prateek Bhalotia (A4) is absent by petition u/s 317 CrPC.

Ld. Advocate for the petitioner and Ld. PP (in charge) for the CBI are very much present.

Ld. Advocate for the accused petitioner Prateek Bhalotia (A4) submits this accused petitioner on and from 2019 till 25.01.23 for several occasions visited abroad with permission of Ld. Court.

Ld. Advocate for the petitioner Prateek Bhalotia (A4) further submits that petitioner abides all norms during his visit at abroad.

Ld. Advocate for the petitioner also further submits accused petitioner shall appear on 05.11.24 before court physically after returning from Germany(Barlin), Belgium (Brussel) and UAE (Dubai).

Ld. Advocate submits that petitioner undertakes to remain present before this Learned Court as and when his presence will be required before this Learned Court and the petitioner is ready to appear personally on the date of framing of charge before this Learned Court.

Ld. Advocate also submits that prior to this occasion the accused person has been given permission for travel abroad and in support of his contention and submitted return ticket, hotel booking and valid Visa copy for consideration of his prayer.

Ld. PP (in charge) for CBI puts strong written objection and submits that this petitioner oftenly visit abroad and this instant case is at pre-charge stage and next date of hearing on in November, 2024 and the presence of the accused is required to be secured on that very date. If the accused is not present on the date of hearing, the trial of the case will be further hampered and it is submitted that this accused is in habit of filing separate petitions for further supply of copies and thereby deferring the process of framing of charge in this case.

Ld. PP (in charge) for CBI further stated in the written objection that on 05.11.24 is fixed for supply of remaining copies in the instant case and if the said accused petitioner is allowed for foreign visit at this stage and in case he remains absconding/fugitive , the trial of the case will be seriously hampered.

Heard both sides.

It appears from record that copies not yet supplied from the side of prosecution to accused persons. Firstly, copies should be supplied to accused persons before framing charge thereafter record be taken for framing charge.

It appears from record that this petitioner on several occasions with permission of this court to visit abroad and return.

So I think petitioner should be permitted to visit abroad to the aforesaid countries on the following conditions:-

a) Petitioner shall furnish a bond of Rs.5,00,000/- (five lakhs) to the satisfaction of this court with undertaking that the petitioner shall act in terms of the order and return to Kolkata.

b) The petitioner shall furnish roaming mobile number to the I.O and also furnish details of his visit to abroad.

c) The petitioner shall affirm an affidavit before this court regarding the above.

Petitioner must be present before court in person after returning broad on 05.11.24 at sharp 10:30 AM failing which petitioner shall liable for non-compliance of order.

Thus the petition is disposed off on contest.

Let a copy of this order be supplied to the Ld. PP (in charge) for CBI for information in this matter.

To 05.11.24 for appearance of Prateek Bhalotia (A4) and appearance all accused persons and supply of copy.

Sd/-
Judge, 3rd Special
(CBI Designated) Court,
Bankshall Court, Calcutta

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Later:

A bond of Rs.5,00,000/- along with affidavit furnished by the accused petitioner Prateek Bhalotia (A4) is found fit and accepted.

Sd/-
Judge, 3rd Special
(CBI Designated) Court,
Bankshall Court, Calcutta