

ITEM NO.6

COURT NO.4

SECTION IIA

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Crl.) No(s).8362/2011

(Arising out of impugned final judgment and order dated 08/08/2011
in CRLWP No.2024/2011 passed by the High Court of Bombay)

UNION OF INDIA TR.INSP.OF POLICE

Petitioner(s)

VERSUS

JAYESH RAMANLAL DESAI N.R.I. & ANR

Respondent(s)

(With appln.(s) for permission to bring additional facts and
documents on record and permission to file additional documents and
stay and vacating interim order and office report)
(For final disposal)

Date : 21/04/2015 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE JAGDISH SINGH KHEHAR
HON'BLE MR. JUSTICE MADAN B.LOKUR
HON'BLE MR. JUSTICE KURIAN JOSEPHFor Petitioner(s) Ms.Pinky Anand, ASG
Mr.P.K.Dey, Adv.
Md.Khairati, Adv.
Mr.B.V.Balram Das, Adv.
Mr. Arvind Kumar Sharma, Adv.For Respondent(s) Mr.Varun Goswami, Adv.
Mr.Peeyosh Kalra, Adv.
Ms.Tanuja Basera, Adv.
Mr. R. C. Kaushik, Adv.Upon hearing the counsel the Court made the following
O R D E RHeard learned Additional Solicitor General appearing on
behalf of the petitioner.We find no justification whatsoever to interfere with the
impugned order in exercise of our jurisdiction under Article 136 of
the Constitution of India, specially keeping in mind the fact, that
the proceedings were initiated against the respondent approximately
five years ago.

The special leave petition is accordingly dismissed.

We consider it just and appropriate to allow respondent No.1 to visit Dubai on the following terms and conditions:

(i) Respondent No.1.- Jayesh Ramanlal Desai is allowed to visit Dubai for a period of 18 days.

(ii) Respondent No.1 shall furnish further security of Rs.10 lacs (Rupees ten lacs only), either in cash or one or more sureties of Indian national(s).

(iii) Respondent No.1 shall inform his departure schedule to the concerned CBI officer at least 5 days before the date of his travelling from India to Dubai.

(iv) Respondent No.1 shall report to the concerned CBI officer immediately on his arrival in India, and appear before him, within one week of his arrival.

(v) Registrar (Sessions) shall hand over the passport of respondent No.1 to him, within four days. The same shall be deposited back to the same authority, within 4 days from the date of the arrival of respondent No.1 - Jayesh Ramanlal Desai in India.

(vi) Respondent No.1 shall furnish his address at Mumbai, and also, his addresses at Dubai, to the concerned CBI officer so as to be in a position to contact him, in case his presence is necessary.

(vii) Additional security deposited by respondent No.1, in furtherance of the instant order, shall be refunded to him on his return to India within the time prescribed. In case, he does not return to India, as indicated above, the aforesaid amount would stand forfeited. This would be in addition to action that may ensue for the breach of this order.

(SATISH KUMAR YADAV)
AR-CUM-PS

(RENUKA SADANA)
COURT MASTER