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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 5051/2017**

JATINDER PAL SINGH Petitioner
Through: Mr. J. P. Sengh, Senior Advocate with Mr.H. S.
Bhullar, Ms. Bhawani Gupta and Mr. Tribikram
Meele, Advocates.

versus

CENTRAL BUREAU OF INVESTIGATION Respondent
Through: Mr. Sanjeev Bhandari, SPP for CBI with
Inspector Griiraj.

CORAM:
HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

ORDER
% **06.12.2017**

The present petition has been filed under Section 482 Cr.PC assailing the order dated 29.11.2017 passed by Special Judge (P.C. Act), CBI-05, Patiala House Courts, New Delhi in case No. 09/17, RC No. 2-1210-CBI-ACU-IX-ND titled as "CBI Vs. Dr. Ketan Desai & Others" and seeking permission to go abroad and also modification of the bail order dated 04.06.2010.

Learned Senior Counsel for the petitioner submits that petitioner has been travelling abroad from time to time due to his professional commitments with prior permission of the Court since 04.06.2010 when he was granted bail by this Court; that petitioner was also permitted to visit abroad 18 times after the grant of stay of proceedings by the Hon'ble Supreme Court vide its order dated 02.01.2013; that the Trial Court permitted the petitioner to visit abroad lastly on 26.07.2017; that the petitioner has never misused the liberty and has complied with all the conditions previously imposed by the Court and has never misused the liberty granted to him.

Opposing the prayer of the petitioner, learned SPP for CBI contended that the proceedings before the Trial Court have been stayed by the Hon'ble High Court vide its order dated 02.01.2013. He further contended that the petitioner is seeking the permission on the basis of vague and unverifiable and claiming to be having business in India and business interests abroad, moreso, he failed to produce any document to support his claim.

Heard. Record perused.

During the course of arguments learned Senior Counsel appearing for the petitioner does not press his prayer to visit abroad beyond 07.01.2018 and also modification of the bail order dated 04.06.2010.

Keeping in view the facts and circumstances of the present case, the petitioner/Jatinder Pal Singh is permitted to visit Dubai and London from 09.12.2017 to 07.01.2018 subject to the following conditions:

1. The petitioner shall file an affidavit furnishing a detailed itinerary of his visit i.e. details of places he would be visiting/travelling, the places where he would be residing and his contact number during his visit abroad.
2. The petitioner shall also furnish personal bond in the sum of Rs.1,00,000/- subject to the satisfaction of the Trial Court in addition to personal bond already submitted at the time of grant of bail.
3. The petitioner shall also furnish one surety in the sum of Rs.1,00,000/- to the satisfaction of the Trial Court in addition to surety bond already submitted at the time of grant of bail.
4. The petitioner shall inform the Court about his return within 48 hours of his return to India.
5. In any eventuality, the petitioner will not request for extension for staying abroad.

6. The petitioner shall not tamper with the evidence nor try to influence any witness in any manner and will not use the permission granted to him contrary to the rules.
7. This permission shall be subject to other applicable rules and will not be deemed as directions to any other authority except the permission from the Court.
8. The petitioner shall have no objection if any proceedings are conducted during his absence and he shall be represented through his Counsel in his absence.
9. The petitioner will file an undertaking with affidavit that he will not dispute his identity during the proceedings/trial conducted in the presence of his counsel during this period.
10. The petitioner shall surrender his passport before the Trial Court within 72 hours of his arrival in India.
11. In case, the stay granted by the Hon'ble Supreme Court is vacated in between, evidence will be recorded in his absence for which he will not raise any dispute.

Let Passport of petitioner/Jatinder Pal Singh be released to him against proper receipt and acknowledgement.

In view of the above directions, the present petition is disposed of.

Copy of the order be given dasti under the signatures of Court Master.

SANGITA DHINGRA SEHGAL, J

DECEMBER 06, 2017
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