

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-475 of 2018 (O&M)
Date of decision: January 18, 2018

Ryan Augustine Pinto ...Petitioner

Versus

Central Bureau of Investigation ...Respondent

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. R.S. Cheema, Sr. Advocate with
Mr. Sandeep Kapur, Advocate and
Mr. Arshdeep Singh Cheema, Advocate for the petitioner.

Mr. Sumeet Goel, CBI Special Public Prosecutor.

Mr. Anupam Singla, Advocate for the complainant.

Rajan Gupta, J.(oral)

Petitioner has preferred this petition under Section 482 Cr.P.C. seeking permission to travel to USA via Dubai from 19.01.2018 to 09.02.2018. Petitioner is required for investigation pursuant to case bearing No.RC 8(S)/2017/SCIII/New Delhi dated 22.09.2017, registered by the CBI, under section 302/34 IPC, 25 of Arms Act, 75 of Juvenile Justice (Care and Protection of Children) Act, 2005 and Section 12 of Protection of Children from Sexual Offences (POCSO) Act, 2012 (added later on). Case of the petitioner is that role of one of the accused has been unravelled till now, who has been arrested by the CBI. However, role of the petitioner is still under investigation. He has already joined investigation and is cooperating.

Petitioner has no option but to directly approach this court for permission to go abroad, as the competent jurisdiction of the court would become clear only after CBI presents its final report.

Mr. Goel, learned CBI Special Prosecutor submits that CBI has no objection to the petitioner travelling abroad subject to furnishing adequate security. An affidavit of the petitioner has been filed today by Mr. Cheema, wherein the security, which can be furnished by the petitioner, has been outlined. Para 4 thereof reads as under:-

“4. That for his travel abroad the petitioner is ready and willing to give surety of a bank guarantee worth Rs.1 crore in favour of the Registrar General, Punjab and Haryana High Court, Chandigarh along with the following properties as additional surety worth Rs.5 crores (approx.):-

- i. Flat no.3H, Block-5, Rani Meyyammai Towers, MRC Nagar, Raja Annamalai Puram, Chennai-600028.
- ii. Enkay Heritage, Flat No.203, Second Floor, B-Wing, Plot No.403, Taluka Panvel, District Raigad, Navi Mumbai, Maharashtra-410206.”

This court feels that the necessary security in the aforesaid terms be furnished to the investigating officer or any official deem fit by the investigating agency. On doing so, petitioner shall be permitted to travel abroad from 19.01.2018 to 09.02.2018. On returning, he shall report to the investigating officer and join investigation as and when called for. Needless to observe that investigating officer shall be at liberty to release the surety thereafter subject to imposition of such terms and conditions as envisaged by the bail order.

Disposed of.

(RAJAN GUPTA)
JUDGE

January 18, 2018
'Rajpal'

Whether speaking / reasoned

Yes / No

Whether Reportable:

Yes / No