

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**CRI-INTERIM APPLICATION NO. 4123 OF 2023
In
CR. WRIT PETITION NO. 3671 OF 2023**

Saurabh Srivastava ...Applicant
Versus
Central Bureau Of Investigation & Ors. ...Respondents

Mr. Ponda, Sr. Advocate a/w. Adv. Vikrant Negi, Adv. Pratik Thakkar
& Adv. Sneha Barange i/b. DSK Legal for the Applicant.
Mr. Kuldeep Patil for the Respondent No. 1-CBI
Mr. Shreeram Shirsat for the Respondent Nos. 2 & 3
Ms S. S. Kaushik, APP for the Respondent-State.

**CORAM : NITIN W. SAMBRE &
N. R. BORKAR, JJ**

DATED : 8th NOVEMBER, 2023

P.C.:

1. The prayer is moved by the Applicant for suspension of look out notice issued against him and to permit him to travel to Singapore from 14/11/2023 to 18/11/2023.
2. Mr. Ponda, learned Senior Counsel appearing for the Applicant has invited our attention to the gist in the FIR dated 17/05/2023 wherein the offences under the PC Act and the IPC is registered against the Applicant.
3. According to Mr. Ponda, learned Senior Counsel for the Applicant, the offence came to be registered pursuant to the

complaint lodged by the Nationalized Bank.

4. He would further invite our attention to the order of this Court passed in the matter of Girish Gupta vs. The Union of India & Ors in Criminal Writ Petition (ST) No. 15323 of 2023. He would urge that said Petitioner is the co-accused with the Applicant in the present offence. He would further urge that there are no criminal antecedents and the Applicant is claiming parity with the said Accused.

5. While countering the aforesaid submissions, learned Counsels appearing for the Respondent Nos. 1 to 3 submit that having regard to the involvement of the Applicant in the serious commercial offences, this Court should not exercise the discretion in favour of the Applicant.

6. We have considered the aforesaid submissions.

7. In the light of the prayer made by the Applicant, the fact remains that there are no criminal antecedents but for the present offence. On earlier occasion similarly placed accused viz. Girish Gupta was permitted to travel by a reasoned order of this Court dated 23/08/2023.

8. In the aforesaid background, as the investigation is still in progress, we deem it appropriate to allow the Applicant to travel

as prayed in the Application by taking an undertaking from the Applicant that he would honour the orders of this Court. That being so following order is passed:

ORDER

- (a) The Applicant - Saurabh Srivastava is permitted to travel to Singapore from 14/11/2023 to 18/11/2023;
- (b) The Applicant shall furnish an Undertaking to this Court alongwith itinerary of travel to Singapore for a period from 14/11/2023 to 18/11/2023. The Applicant shall also make available his contact number in Singapore, his place of residence and shall undertake to return back to India on 18/11/2023.
- (c) The Applicant shall undertake not to apply for renewal or extension of this order until he returns to this Country;
- (d) In the meantime, the operation of the LOC issued against the Applicant, at the behest of the Respondent No.1 - CBI, whether currently valid or auto-renewed, is suspended/stayed during the said period i.e. between 14/11/2023 to 18/11/2023;
- (e) The Applicant, on his return, shall inform the CBI

authorities of his return within two days thereafter.

(f) Mr. Patil, learned counsel for the Respondent No.1-CBI as well as Mr. Shirsat, learned counsel for the Respondent Nos. 2 and 3 to communicate this order to the immigration authorities within 24 hours of this order being uploaded.

9. The Applicant stands allowed in the aforesaid terms.

(N. R. BORKAR, J)

(NITIN W. SAMBRE, J.)