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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CRL.M.C. 6003/2023 AND CRL.M.A. 11408/2024 & CRL.M.A. 11409/2024

DEEPT SARUP AGGARWAL

.....Petitioner

Through: Mr. Naveen Malhotra and Mr. Ritmik Malhotra, Advocates.

versus

DIRECTORATE OF REVENUE INTELLIGENCE

.....Respondent

Through: Mr Satish Aggarwala, Sr. Standing Counsel with Ms. Mala Dha, SPP, Mr. Gagan Vaswani, Mr. Ashish Chatlani & Ms. Aditi Mittal, Advocates (*through video conferencing*).

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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18.07.2024

1. By way of the present petition, petitioner seeks directions that the order dated 04.08.2023 be modified to the extent that the condition that states that every time the petitioner has to travel abroad, he has to take prior permission and furnish a bond of Rs. 5 lacs before the concerned Court is removed.

2. Learned counsel for the petitioner submits that in the present case, the petitioner was granted bail on 26.08.2000. It is further submitted that in the adjudicatory proceedings, the penalty was imposed which was challenged before the appellate tribunal and thereafter, the impugned judgment has been



stayed. Learned counsel also submits that the petitioner has travelled abroad umpteen number of times, however, the condition of taking prior approval and furnishing of bail bond has caused unnecessary inconvenience as the petitioner has always come back. It is stated that the condition has become cumbersome for petitioner's emergency travel for business purposes. Lastly, it is stated that the remand application for offences punishable under Sections 132 & 135 of the Customs Act, 1962 filed in the year 2000 is pending before the Court of ACMM, Patiala House, Courts, and till date, the department has not filed any prosecution complaint. It is thus prayed that the condition of seeking prior permission from the Court and furnishing of bond be removed and the petitioner be directed to furnish only his travel itinerary in advance.

3. Learned counsel for the respondent concedes that no complaint has been filed till date and the penalty imposed in the adjudication proceedings has also been stayed by the appellate tribunal.

4. Considering that the present petition has been pending for the last one year and no reply has been filed yet, and further that no prosecution complaint has been filed till date, the petition is allowed and the order is modified to the extent that the petitioner shall furnish an itinerary of his travel in advance before the concerned court.

5. With the above said modification, the petition stands disposed of.

MANOJ KUMAR OHRI, J

JULY 18, 2024

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