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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 6941/2024 & CRL.M.A. 26526/2024**
SANJAY JAINPetitioner

Through: Mr. Madhav Khurana, Ms. Trisha Mittal, Mr. Shaurya Singh and Ms. Femitha Fathima, Advocates.

versus

ENFORCEMENT DIRECTORATERespondent

Through: Mr. Zoheb Hossain, Special Counsel, ED with Mr. Vivek Gurnani, Panel Counsel, Mr. Kartik Sabharwal, Mr. Pranjal Tripathi, Mr. Kunal Kochar and Mr. Azeez Mushtaq, Advocates.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER
13.09.2024

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1. The Petition under Section 528 of the Bhartiya Nagarik Suraksha Sanhita, 2023 has been filed on behalf of the petitioner, seeking permission to travel to London (United Kingdom) between 22.09.2024 to 01.10.2024 and Hong Kong between 06.10.2024 to 11.10.2024, for the purpose of Business Development and Meetings with the various fertilizer publications, Real Estate Development and Investment Firms and Stock Market firms based in United Kingdom to explore new business opportunities, secure investments and to attend an International Fertilizer Conference in Hong Kong.
2. The Application is contested by the respondent *vide* their detailed Reply wherein it has the objection taken up that though the



Regular Bail has been granted *vide* Order dated 07.03.2024, but the same is under challenge before the Hon'ble Supreme Court of India, though no Notice till date, has been issued. It is further submitted that the cognizance has already been taken for the offences under PMLA and the case is at the stage of scrutiny of documents under Section 207 CrPC.

3. The main objection taken on behalf of the respondent is the brother of the petitioner is based in London, who is absconding. In case the petitioner is permitted to travel abroad, the trial before the learned Special Judge, shall be hampered. There is also an apprehension of flight risk and that the petitioner may not return to face the trial.

4. It has been clarified that there is no LOC opened against the petitioner.

5. **Submissions heard.**

6. It is not in dispute that the petitioner has been granted Regular bail *vide* Order dated 07.03.2024 and that he has been appearing before the learned Special Judge where the trial for the offence under PMLA is pending. The case is at the stage of scrutiny and supply of documents under Section 207 CrPC. The petitioner is seeking permission to travel to London (United Kingdom) between 22.09.2024 to 01.10.2024 and Hong Kong between 06.10.2024 to 11.10.2024. It is difficult to comprehend how 16 days travel would obstruct or delay the trial before the learned Special Judge.

7. The other ground which has been stated is that the brother of the petitioner is absconding and is based in London. This cannot be



held as a valid ground to penalize or restrain the petitioner for the conduct of his brother.

8. The petitioner has placed on record the Invite Receipts from the various Companies based in United Kingdom. Considering the e-mail invites and that petitioner needs to meet the foreign based Companies for the purpose of his business, the Application is allowed and the petitioner is permitted to travel to London (United Kingdom) between 22.09.2024 to 01.10.2024 and Hong Kong between 06.10.2024 to 11.10.2024.

9. The travel is permitted subject to the following conditions:

(i) that the petitioner shall furnish the detailed addresses of the persons from whom he has an invite and whom he intends to meet.

(ii) that the petitioner shall furnish the details of air-ticket, stay, where he intends to reside in United Kingdom and his contact number along with itinerary with the Trial Court.

(iii) that the petitioner shall furnish a surety in the amount of Rs. 5,00,000/- by way of FDR before the Trial Court.

(iv) that the petitioner shall not alienate any movable or immovable assets belonging to him or to persons related to him, during his period of travel.

(v) that the petitioner undertakes that he would strictly abide by the time frame and would return on 11.10.2024.

10. In view of above, the permission is granted to the petitioner to travel to London (United Kingdom) between 22.09.2024 to 01.10.2024 and Hong Kong between 06.10.2024 to 11.10.2024 for business purposes.



11. The Petition is disposed of.
12. The order be conveyed by the Respondent to the Immigration Department.
13. A copy of this order be communicated to the concerned learned Trial Court for information and compliance.

NEENA BANSAL KRISHNA, J

SEPTEMBER 13, 2024

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