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

+ **CRL.M.C. 2246/2021**

AKHILESH AGARWAL

.....Petitioner

Through: Mr. Sandeep Garg and Ms. Mansi Singh, Advocates.

versus

CENTRAL BUREAU OF INVESTIGATIONRespondent

Through: Mr. Anupam Sharma, SPP with Mr. Prakarsh Airan, Ms. Harpreet Kalsi, Mr. Ripudaman Sharma, Mr. Vashisht Rao and Mr. Syamantak Modgill, Advocates for CBI.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

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14.01.2025

CRL.M.A. 825/2025 (for early hearing)

1. An Application under Section 528 of the Bhartiya Nagarik Surkasha Sanhita, 2023 (*hereinafter referred to as 'B.N.S.S.'*) has been filed on behalf of the Petitioner, for early hearing of CRL.M.C. 2246/2021.

2. Learned counsel on behalf of the Respondent/CBI, has no objection if the matter is preponed for today.

3. The Application is allowed and disposed of accordingly. The date already fixed i.e. 01.04.2025 in the accompanying Petition, stands cancelled.

CRL.M.A. 23977/2024 (for releasing of the security amount)

4. An Application under Section 528 of the B.N.S.S., 2023, has been



filed on behalf of the Surety of the Petitioner, namely, Mr. Surya Kant Jalan, for release of the surety amount of Rs.2.5 Crores furnished in favour of Registrar General of this Court and Rs.1.70 Crores in form of FDR in favour of CBI, ACB, Jodhpur, by way of the FDRs, furnished by the Applicant.

5. It is submitted that Mr. Akhliesh Agarwal had filed the present Petition, for cancellation of NOC issued against him by CBI. This Court allowed the Petition *vide* Order dated 29.10.2021 and allowed the Petitioner to leave the country on deposit of FDRs in the sum of Rs.2.5 Crores with the Registrar General of this Court. It was also directed that the Applicant i.e. Mr. Surya Kant Jalan, the father-in-law/SPA Guarantor of the Petitioner, shall also furnish a security of Rs.5 Crores, with the Respondent/CBI.

6. The Petitioner is a resident of USA and was not entitled to furnish the FDR of Rs.2.5 Crores. Accordingly, the Applicant, Mr. Surya Kant Jalan deposited Rs.2.5 Crores by way of FDR with the Registrar General of this Court. Further, a FDR in the sum of Rs.1.70 Crores in the name of CBI Jodhpur, was deposited. Moreover, the original documents of the property owned by the Applicant, had also been deposited.

7. The Petitioner has given the detail of the three FDRs *vide* which total sum of Rs.2.5 Crores has been deposited with the Registrar General of this Court and has also furnished the detail of FDR bearing No. 258945 in the sum of Rs.1.7 Crores, drawn on 17.11.2021, which has been furnished to CBI, ACB, Jodhpur. The FDRs so deposited with the Registrar General of this Court, be returned.

8. Learned SPP on behalf of the State, submits that there is no Look Out Notice presently against the Petitioner, Mr. Akhilesh Agarwal and has no objection to the release of the FDR amount to the Applicant.



9. Considering the submissions made, three FDRs in a total sum of Rs.2.5 Crores be released to the Applicant and Ms. Renu Jalan, on her identification. Likewise, CBI is directed to return the FDR in the sum of Rs.1.7 Crores along with the original documents of the properties to the Applicant within seven days, on the Petitioner approaching the concerned Authority.

10. The Application is disposed of accordingly.

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11. In view of the decision in the above Application, nothing more survives in the present Petition, which is disposed of as not pressed.

12. The Petition is disposed of accordingly.

13. The date already fixed i.e. stands cancelled.

NEENA BANSAL KRISHNA, J

JANUARY 14, 2025/RS