

ITEM NO.1

COURT NO.1

SECTION XVI-A

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Transfer Case (Criminal) No. 3/2018

RAJBHUSHAN OMPRAKASH DIXIT

Petitioner

VERSUS

UNION OF INDIA & ANR.

Respondents

WITH

T.C.(Cr1.) No. 4/2018 (XVI-A)

(FOR CLARIFICATION/DIRECTION ON IA 6753/2019)

Date : 30-01-2019 This petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE DEEPAK GUPTA

HON'BLE MR. JUSTICE SANJIV KHANNA

For Petitioner

Mr. K.V. Vishwanathan, Sr. Adv.

Mr. Prateek Chaddha, Adv.

Ms. Madhavi Agrawal, Adv.

Mrs. Shally Bhasin, AOR

Mr. Amit Bhandari, Adv.

Mr. Avishkaar Manu Singhvi, Adv.

Mr. B. Krishna Prasad, AOR

Mr. Nikhil Jain, AOR

Mr. Vikas Mehta, AOR

For Respondents

Mr. Tushar Mehta, SG

Ms. Sonia Mathur, Sr. Adv.

Ms. Noor Rampal, Adv.

Mr. Manoj Singh, Adv.

Mr. Shiv Mangal Sharma, Adv.

Mr. Shrey Kapoor, Adv.

Mr. Prabhat Kumar Rai, Adv.

Mr. Rajat Nair, Adv.

Ms. Swati Ghildiyal, Adv.

Mr. B. Krishna Prasad, AOR

UPON hearing the counsel the Court made the following
O R D E R

I.A. No. 6753/2019 in T.C.(Cr1.) No. 4/2018

We have heard learned counsels for the parties. The learned Solicitor General of India on instructions, has submitted that in between the proposed visit of the applicant - Mr. Karti P. Chidambaram to the United Kingdom and France from 10th to 26th February, 2019 and the next visit to Spain from 23rd to 31st March, 2019, the Enforcement Directorate/other investigating agencies have fixed 5th, 6th, 7th and 12th March, 2019 as dates for further investigation in the cases [numbers - ECIR/07/HQ/2017 (INX Media Case) and ECIR/05/DZ/2012 (Aircel-Maxis Case)], wherein the personal presence of the applicant would be required.

Taking note of the previous orders allowing the applicant to travel abroad, we are of the view that the applicant should be allowed to travel to the United Kingdom and France between 10th and 26th February, 2019 and to Spain between 23rd and 31st March, 2019. He will, however, appear before the investigating authorities in connection with the investigation under case numbers - ECIR/07/HQ/2017 (INX Media Case) and ECIR/05/DZ/2012 (Aircel-Maxis Case) on the dates aforementioned i.e. 5th, 6th, 7th and 12th March, 2019 and will cooperate with the investigating agencies in every manner. Any absence of full cooperation on the dates of the investigation will be viewed very seriously by the Court and appropriate orders will be passed, if required. The travel of the applicant shall be subject to the following conditions:-

- (i) That the applicant shall file an

undertaking before this Court within three days, indicating his flight details and the date of arrival in India.

(ii) If the undertaking is not filed, the applicant shall not be allowed to go abroad.

(iii) After the undertaking is filed and a copy of the same is served on the assisting counsel of Mr. Tushar Mehta, learned Solicitor General, the Passport of the applicant which is in the custody of the Enforcement Directorate, shall be handed over to him, who shall surrender the same after the schedule of visit is over.

(iv) The applicant shall make a deposit of Rs.10,00,00,000 (Rupees ten crores only) before the Secretary General of this Court, which will be returned to him after he comes back to the country.

(v) That the applicant shall not open or close any bank account overseas.

(vi) That the applicant shall not enter into any kind of property transactions abroad.

(vii) If the undertaking is not complied with, the applicant shall face such consequences as may be deemed fit and appropriate.

The application is accordingly disposed of.

(Deepak Guglani)
Court Master

(Anand Prakash)
Court Master