

CNR No. : DLCT11-000548-2024
CBI NO. : 92/2024
RC No.: : RCBD1/2019/E/0006
Branch : CBI/BSFB/NEW DELHI
CBI Vs. Moserbaer India Ltd. & Ors.
IA No. : 03/24

06.11.2024

Present : Sh. V.K.Ojha, Ld. Sr. PP for CBI .
Accused no. 1, M/s. Moser Baer India Ltd.
Sh. Anil Sethi and Sh. Samarth Rai Sethi, Ld.
Counsels for official liquidator Sh. Anil Kohli for
accused no. 1.
Accused no. 2, Nita Puri is absent.
Accused no 3, Ratul Puri in person.
Accused no. 4, Yogesh Bahadur Mathur has died and
proceedings against him stands abated.
Accused no. 5, Naresh Jand in person.
Accused no. 6, Ajay Sehgal in person.
Accused no. 7, Rajinder Kumar Dhingra in person.
Sh. Vijay Aggarwal along with Sh. Vishal , Sh. Rachit
Goyal, Ms. Barkha Rastogi, Sh. Rajeev Goyal and Sh.
Anshul Misra, Ld. Counsel(s) for accused nos. 2 to 7.

An application seeking exemption from personal
appearance has been moved on behalf of accused no. 2, Nita Puri
by Ld. Counsel.

Heard. Keeping in view the facts and circumstances,
accused is exempted from personal appearance for today only.
The application stands disposed off.

It is stated by Ld. Counsel for accused no. 2 to 7 except (accused no. 4) that the scrutiny of documents qua him is complete and complete relied upon documents have been supplied to the accused persons and he is ready for addressing the arguments on the point of charges

However, Ld. Counsel for the above accused persons has drawn the attention of the Court to para no. 40 of the chargesheet which reads as under:-

**“40. Further investigation U/S 173(8)
CrPC is kept open other credit facilities
sanctioned by Central Bank of India as
well as other lender banks. After
completion of further investigation,
supplementary report will be submitted
before this Hon’ble Court in due course”**

And thereby he submits that the stand of the CBI/IO be taken with regard to the averments mentioned in this para, as to what further investigations are going on and if they are going on then when the same are going to be completed.

IO is not present today. In these circumstances, prosecution is directed to take a stand with regard to the averments mentioned in the said para by the next date of hearing. IO be summoned for the next date of hearing in this regard.

Put up on 26.11.2024 for further proceedings/arguments on the point of charges.

At this stage, Ld. Counsel for applicant/accused has pressed his application seeking permission to travel abroad qua accused Ratul Puri from 16.11.2024 to 25.11.2024 to Japan, from 25.11.2024 to 01.12.2024 to Oman and 20.12.2024 to 04.1.2025 to Thailand.

It is stated in the application that the accused wants to travel abroad for the reasons stated in para no. 10, 11, 12 and 13 of the application. It is also stated that accused has travelled abroad on various occasions from time to time as mentioned in detail in tabular form in para no. 14. It is also orally stated that he has always returned back on time and has never misused the permission or the terms and conditions of the travel order and therefore, the permission to travel abroad be granted to the applicant/accused.

Reply has been filed by the CBI opposing the said application. It is stated that CBI has opened Look Out Circular on 19.08.2019 against the present accused for ensuring his presence during the investigation and the said LOC is still active and further investigation is still going on and, therefore, if he is granted permission to travel abroad, he may not return. Therefore, it is stated that the above application of the accused to travel abroad is liable to be dismissed.

I have gone through the rival contentions.

As stated in para no. 14 of the application, the accused has previously been granted permission to visit abroad on various occasions and it is not the grievance of the prosecution that he has ever flouted the terms and conditions of the travel permission granted to him earlier and has always returned back on time.

Thus keeping in view the facts and circumstances and the past conduct of the accused, the applicant/accused Ratul Puri is permitted to travel abroad from 16.11.2024 to 25.11.2024 to Japan, from 25.11.2024 to 01.12.2024 to Oman and 20.12.2024 to 04.1.2025 to Thailand, subject to following conditions:

- a. That applicant shall furnish security in the form of bank guarantee in the sum of Rs. 2 Crores or in the alternative an FDR in the like amount.*
- b. That applicant shall furnish an affidavit in the court disclosing his programme/itinerary including flight numbers (to and fro) as also places of his stay at various stations abroad and telephone numbers and addresses of his stay before his departure.*
- c. That applicant shall intimate the court 24 hours prior to leaving and within 72 hours of his return from abroad.*
- d. That applicant will file complete self*

attested copy of his passport alongwith copy of VISA in the court on his return from abroad.

e. The applicant shall neither tamper with the evidence nor try to influence any witness in any manner and will not use the permission granted to him contrary to the rules.

f. In case of any of the above conditions are violated, the bank guarantee/FDR will be forfeited to the state.

g. In any eventuality, accused will not request for extension for staying abroad.

h. This permission shall be subject to other applicable rules and will not be deemed as directions to any other authority except the permission from the side of the court.

i. His surety/Ld. Counsel will undertake to accept notice(s), if any, on behalf of the accused in his absence.

j. Neither he nor his counsel will object to the carrying of the trial/inquiry during the absence of accused.

Look out circular, if any issued against the applicant/accused shall remain suspended during the above period of travel.

Copy of this order be also sent to the Joint Director,

Bureau of Immigration, R.K.Puram, New Delhi for information.
IO is also directed to bring this order to the notice of Bureau of Immigration forthwith.

In view of the above directions, the application filed by applicant/accused Ratul Puri stand disposed off accordingly.

Copy of this order be given to Ld. Counsel for the applicant/accused as well as to Ld. Counsel for the CBI, as prayed.

(SANJEEV AGGARWAL)
Special Judge (PC Act) (CBI)-10
Rouse Avenue Courts Complex
New Delhi/06.11.2024