

**IN THE COURT OF SH. VIRENDER BHAT, LD. SPECIAL
JUDGE, PC ACT, CBI-15, ROUSE AVENUE DISTRICT
COURT, NEW DELHI**

**FIR No. RC-DAI-2019-A-0042 dated 29.12.2019
CBI Vs. Anoop Joshi & Anr.
U/s 120B IPC r/w Sec. 7A of PC Act and
Section 7A PC Act 1988**

17.08.2020.

ORDER

Vide this order, the application of accused Rajesh Dhanda seeking permission to travel abroad, shall be disposed off.

The applicant is seeking permission to travel to United Arab Emirates for renewal of his Residency Visa and Business Purposes. It is submitted by the Ld. Counsel for the applicant that the applicant is holder of residency visa issued by United Arab Emirates and has been carrying on business in UAE for the last about 6 years under the name and style of M/s Paras County Readymade Garments Trading LLC. It is submitted that the applicant's Residency Visa has expired on 15.05.2020 but the applicant was unable to travel to Dubai for renewal of the said Visa on account of the onset of COVID-19 Pandemic and the travel restrictions imposed by Government of India thereafter. It is further submitted by Ld. Counsel that the personal presence of the applicant is required in Dubai for the renewal of the said Residency Visa and he also has to undergo medical examination to

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be conducted in this regard by UAE Authorities. It is further submitted that the operation of flights between India and United Arab Emirates has resumed on a limited basis after the lifting of lock down by the Government of India as well as the travel restrictions which had been imposed in view of the COVID-19 Pandemic. The Ld. Counsel further pointed out that prior to the registration of the instant case, the applicant had taken on lease a residential apartment bearing No. 5501, Blue Tower, Sheikh Zayed Road, Dubai, UAE for his residential purposes and the said lease got terminated on 19.09.2020 due to efflux of time due to which the applicant got the said apartment vacated and took possession of a new apartment bearing No. 5504, Blue Tower, Sheikh Zayed Road, Dubai, UAE, for which the documents are yet to be executed. It is submitted that since the lease of the aforesaid apartment No. 5504, Blue Tower, Sheikh Zayed Road, Dubai, UAE is going to be in the personal name of the applicant, he is required to be personally present before the concerned authorities in United Arab Emirates for renewal of the tenancy and in case the fresh tenancy agreement is not executed, he will suffer damages and would also be liable for legal action.

Relevant documents in support of the above noted submissions have been annexed alongwith the application.

In the reply, it is contended by the CBI that the investigation of the case is at the very crucial stage and there is a reasonable apprehension that being involved in a big bribery

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scam, the applicant may abscond and not return to India to join the legal proceedings against him. It is submitted by Ld. PP that the applicant is an influential person and if he is allowed to visit UAE, there is every likelihood that he would not come to India to face trial of this case.

Though it was also mentioned in the reply filed by CBI that in order to contain the spread of COVID-19 Pandemic, international travel of passengers from and to India has been prohibited vide order dated 24.05.2020 issued by the Ministry of Home Affairs, Government of India and therefore, the applicant cannot travel to UAE in the present circumstances, yet the IO DSP Atul Hajela has fairly conceded in his E-mail sent to this court today that as per the new guidelines issued by the Ministry of Home Affairs, Government of India, those persons who are having permanent residency status of United Arab Emirates shall be allowed to travel to Dubai. It is also stated in the E-mail that the IO has verified this fact from the UAE Embassy also.

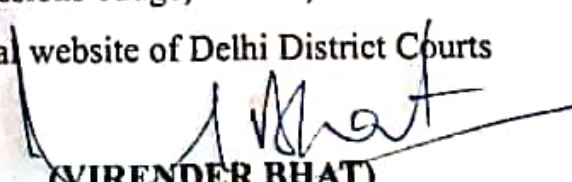
The purpose for which applicant seeks to travel to United Arab Emirates is not disputed on behalf of CBI. However, the only objection conveyed to this court by CBI is that the applicant may not return to India to face investigation in this case and may abscond.

It has come out during the course of the arguments that the applicant is carrying on various business activities in India and owns various immovable properties including one factory at

Ludhiana, Punjab. Thus he has deep roots in India and therefore, cannot be said to be a flight risk. Despite the same, the apprehension expressed on behalf of CBI that the applicant may not return to India if permitted to travel to Dubai, can be allayed by asking the applicant to furnish appropriate security for his return to India.

Hence, the application is allowed and the applicant is permitted to travel to United Arab Emirates for a period of 15 days from the date of this order for the purposes mentioned hereinabove. This shall be subject to the condition that the applicant deposits the original Title Deeds of his property bearing No. B-XIX-183 measuring 520 sq. yds premises in Khasra No. 896/676/464/462, Khata No. 231/668 situated at Village Gahlewal, Colonel Gurdayal Singh Road, Civil Lines, Ludhiana, which stands in his name as well as in the name of his wife Seema Dhanda, to the IO upon which the IO shall handover all the passports to him so that he may undertake the travel to United Arab Emirates.

The Ahlmad is directed to send the copy of this order to the Computer Incharge, RADC, New Delhi as well as to Sh. Vivek, PA to Ld. District & Sessions Judge, RADC, New Delhi who shall upload it on the official website of Delhi District Courts at the earliest.


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