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CC No.257/19
CNR No.DLCT11-000989-2019
CBI vs Satyender Kumar Jain & Ors.

Matter is taken up today for hearing through Video Conferencing in terms of Office Order No.417/RG/DHC dated 27.8.2020 and Circular issued by Ld. District & Sessions Judge-cum-Special Judge (CBI), Rouse Avenue District Court, New Delhi, regarding Duty Roster of the Judicial Officers and Modalities in respect of hearing bearing No.E-10559 10644/Power/Gaz./RADC/2020 dated 28.8.2020 and No.E-10927-11013/Power/Gaz./RADC/2020 dated 30.8.2020 respectively.

29.9.2020 **(Proceeding through VC on CISCO WEBEX)**
Present: Sh. Pankaj Gupta, Learned Senior PP for CBI.
Applicant/A-1 Satyender Kumar Jain through VC with Sh. N. Hariharan, learned senior Advocate for A1/Applicant with Sh. Bhavook Chauhan, Sh. Vaibhav Yadav, Sh. Tushar Yadav and Sh. Sidharth Yadav Advocates.

1. The applicant/A-1 Satyender Kumar Jain has filed this application seeking permission / No Objection from the court for renewal of his passport bearing No.S6368361 which has expired on 05.11.2019.

2. This application was moved on 27.02.2020, however, it could not be taken up on account of suspension of regular court work in the wake of COVID-19 Pandemic. Although, a notice of this application was issued to the CBI for giving the response. CBI has filed its reply online at the official email of the court on 15.9.2020.

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3. I have heard the submissions of Sh. N. Hariharan, learned senior advocate for the applicant/A-1 and Sh. Pankaj Gupta, learned Senior PP for the CBI.

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4. Learned senior advocate for the applicant/A-1 Satyender Kumar Jain has submitted that the passport no.S6368361 of the applicant/A-1 Satyender Kumar Jain has expired on 05.11.2019 and as per the procedure under the Passport Act, 1967, permission/No Objection is required from the court.

5. CBI in its reply has not given any objection to the renewal of the passport. However, it is stated in the reply that the applicant/A-1 Satyender Kumar Jain be directed to deposit the passport in the court within 30 days from the renewal of the passport.

6. After considering the submissions made and perusal of the record of the case, it is noticed that in the bail order qua the applicant, passed on 06.7.2019, this court has not imposed any condition on the applicant/A-1 Satyender Kumar Jain at the time of granting bail that he has to deposit the passport in the court. Only a restriction was imposed that he shall not leave the country without the permission of the court.

7. Learned Sr.PP for the CBI could not show any substantive reason in putting this condition of deposit of passport in court after its renewal. His submission that the applicant/A-1 Satyender Kumar Jain is a Minister and there is an apprehension that he may flee from the country is found without any substance.

8. Applicant/A-1 Satyender Kumar Jain is representative of people, he has roots in the society therefore, in the absence of any justified and substantive reason, I do not see any need for a direction to the applicant to deposit passport in the court after its renewal.

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9. So far as the renewal of the passport is concerned, the Notification of the Government of India dated 25.08.1993 issued by the Ministry of External Affairs provides, inter alia, that for the renewal of the passport of citizens against whom criminal proceedings are pending, an

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order from court is required granting "No Objection" for renewal of the passport. Thus, a 'no-objection' of the court is a requirement of procedure for the renewal of the passport of the person against whom a criminal case is pending.

10. Applicant/A-1 Satyender Kumar Jain by way of this application is seeking the permission/No Objection from this court for the renewal of his Passport.

11. In view of the above, this court hereby grants 'No Objection' for renewal of the Passport No.S6368361 of applicant/A-1 Satyender Kumar Jain for a term as per the extant rules and procedure under the Passport Act 1967. However, it is made clear that the applicant/A-1 Satyender Kumar Jain shall travel abroad only after seeking permission of this court.

12. Application stands disposed off accordingly.

13. A copy of the order be sent at the email ID of the learned counsel for the applicant/A-1 Satyender Kumar Jain by the reader of this court.

14. Matter be now listed on the date already fixed i.e. **19.10.2020** for consideration/reply and arguments of all the remaining pending application of A-1 and A-4. In case, the date happens to be the day of physical hearing of the court, then the matter will be taken up in the court itself, otherwise, through VC, as the case may be.

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15. ***The Digitally signed order is being sent to Sh. Brijesh Andani, Reader of the Court on E-mail ID of the court i.e. readercbi09radc@gmail.com with the direction to place the order on the record as and when the regular functioning of the Courts is***

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resumed or whenever he visits court as per Duty Roaster and send copy of the order to Computer Branch, RADC for uploading on Official Website.

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**(AJAY KUMAR KUHAR)
Special Judge (PC Act)
CBI-09 (MPs/MLAs Cases),
RADC, New Delhi : 29.9.2020 (SR)**

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CA No.15/19
CNR No. DLCT11-001786-2019
Manoj Kumar vs State

Matter is taken up today for hearing through Video Conferencing hosted by Sh. Brijesh Andani, Reader of the court through Unique Court ID on CISCO WEBEX Meeting App. in view of the Order No.Power/Gaz./RADC/2020/E-8959-9029 dated 16.8.2020 of Ld. District and Sessions Judge-cum-Special Judge, CBI (PC Act), RADC, New Delhi.

29.9.2020 (Proceeding through VC on CISCO WEBEX)

Present: Appellant is absent.

Sh. Gaurav Kumar Singh, learned counsel for appellant.

None for the State/Respondent.

Matter is listed for Appellant's Evidence under Section 391 Cr.PC. The possibility of examination of the witnesses will be explored in the physical hearing of the court.

As of now, the duty roster for physical hearing has not been received. Therefore, the matter be listed on 13.10.2020. Thereafter, the case will be taken up for the appellant's evidence under Section 391 Cr.PC in the physical hearing of the court. Learned counsel for the appellant has no objection to the physical hearing.

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It is impressed upon the appellant to submit the list of witnesses to whom he intends to examine and thereafter, summons will be issued and the date will be fixed in the 3rd or 4th week of the October, 2020 as the case may be.

Matter be now listed on **13.10.2020**. In case, the date happens to be the day of physical hearing of the court, then the matter will be taken up in the court itself, otherwise, through VC, as the case may be.

The Digitally signed order is being sent to Sh. Brijesh Andani, Reader of the Court on E-mail ID of the court i.e. readercbi09radc@gmail.com with the direction to place the order on the record as and when the regular functioning of the Courts is resumed or whenever he visits court as per Duty Roaster and send copy of the order to Computer Branch, RADC for uploading on Official Website.

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(AJAY KUMAR KUHAR)
**Additional Sessions Judge/
Special Judge (PC Act),
CBI-09 (MPs/MLAs Cases),
RADC, New Delhi : 29.9.2020 (SR)**

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