

CC No. 28/2020 & CIS No. 12/2020
CBI v. Harbir
U/s: 7 of PC Act, 1988 (as amended
in 2018)

21.08.2020

The file could not be taken on 20.04.2020, which was the due date for hearing of this case, due to spread of pandemic COVID-2019, Lockdown imposed by the Govt. of India and time to time adjournment of the cases enbloc by the Hon'ble High Court of Delhi and the office of Ld. District & Sessions Judge, Rouse Avenue District Courts, New Delhi, by issuing several circulars.

The file is taken up today for hearing in pursuance of the circular No. Power/Gaz./RADC/2020/E-8959-9029 dated 16.08.2020 issued from the office of Ld. District & Sessions Judge, Rouse Avenue District Courts, New Delhi by Video Conferencing through CISCO WEBEX Meetings arranged by Sh. Raj Kumar, Reader in this court.

Presence:

(Through CISCO Webex Meetings)

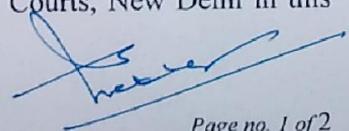
Sh. Amit Kumar, Ld. Public Prosecutor for CBI.

Ld. Counsel Sh. Sandeep Sharma for accused Harbir.

No PW is present, therefore evidence cannot be recorded.

PW-Praveen Kumar and Bharat Bhushan be summoned for the next date as per previous order dated 12.03.2020.

The accused is directed to appear in person with Counsel on each and every date before the court through CISCO Webex Meetings App till further orders unless the court resumes work from the court premises or some other order is passed by the Hon'ble High Court of Delhi or office of the Ld. District & Sessions Judge, Rouse Avenue District Courts, New Delhi in this



21.08.2020

Presence:

(Through CISCO WEBEX Meetings)

Ld. Counsel Sh. Sandeep Kapoor for the accused Ahmed A. R. Buhari.

Ld. Public Prosecutor Sh. Amit Kumar for the CBI with IO/DSP Subhash Pandey.

ORDER ON APPLICATION OF ACCUSED AHMED A. R. BUHARI SEEKING EXTENSION OF PERMISSION TO TRAVEL ABROAD

An application, moved on behalf of accused Ahmed A. R. Buhari, seeking extension of permission to travel abroad till 30.11.2020 was marked to this court on 13.08.2020 by Ld. District & Sessions Judge-cum-Special Judge (PC Act) Ms. Sujata Kohli, Rouse Avenue District Courts, New Delhi, for hearing and disposal of the same, through Video Conferencing to maintain social distance.

An e-copy of the aforesaid application was supplied to the CBI for filing reply and application was fixed for today for reply and arguments.

Today, IO submitted that he is unable to file reply to the said application in e-form, due to some inevitable circumstances; however, he will address his submissions, orally.

The request of the IO was allowed.

I have heard the submissions of both the parties on the aforesaid application through CISCO WEBEX Meetings arranged by Sh. Raj Kumar, Reader in this court as directed by Ld. District & Sessions Judge-cum-Special Judge (PC Act) Ms. Sujata Kohli, Rouse Avenue District Courts, New Delhi.

Ld. Counsel for the accused has submitted that period to travel abroad may be extended till 30.11.2020 as it is uncertain when the situation will become normal and this pandemic Covid-2019 will come to an end.

The Ld. PP for CBI, assisted by IO, has submitted that the accused is seeking extension for a very long time; if the extension is allowed for such a period, the same will hamper and adversely affect the investigation of the case. The accused may be directed to return back to India and report to the IO within a period of fifteen days after the flights from Singapore to India start operating.



Ld. Counsel for the accused has submitted that after the flights from Singapore to India are opened and accused receives a notice of the IO through e-mail or Whats App, he will appear before him at the earliest within a period of fifteen days from the date of receiving of such notice.

I have considered the submissions of both the parties and perused the judicial record received through e-mail. In view of previous orders dated 07.02.2020 and 29.05.2020 and subject to same conditions as imposed on the accused in the said orders, the application of accused is allowed, subject to further directions that after flight from Singapore to India are started and accused receives a notice of the IO through e-mail, whats app or any other recognized modes, the accused will return back to India within fifteen days of receiving of such notice and join investigation. The LOC opened against the accused will remain suspended till 30.11.2020 or till expiry of fifteen days from the date of receiving of aforesaid notice of IO, whichever, is earlier. The application of accused is allowed and disposed of accordingly.

A copy of this order is being sent through whats app to Sh. Raj Kumar, Reader of this court with a direction to get this order uploaded on the official website of Delhi District Courts at the earliest through Computer Branch, Rouse Avenue Courts Complex, New Delhi. He is also directed to send a whats app copy of the order to the respective counsel of the parties at the earliest. A signed hard copy of the order shall be placed on record as soon as work is resumed from the Court premises of Rouse Avenue District Courts, New Delhi.

Dated: 21.08.2020



CHANDRA SHEKHAR
Special judge, CBI-19 (PC Act)
Rouse Avenue District Courts, New Delhi

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