

THE COURT OF ANURADHA SHUKLA BHARDWAJ JUDGE CBI – 21 ROUSE AVENUE DISTRICT COURT NEW
DELHI

**Case no RC-221/2018/E0003/CBI/
EOU-VII/EO-III/New Delhi**

Ahmad A.R. Buhari vs Central Bureau of Investigation

Order on the application of Ahmad A.R. Buhari seeking extension of order dated 07-02-2020.

29-05-2020

The miscellaneous application was filed by applicant Ahmad A. R. Buhari on 19-05-2020 and was adjourned for today. The application has been taken up for hearing today on official instructions given in this regard by **Ms. Sujata Kohli Id. District & Sessions Judge, RADC, New Delhi** communicated by Sh Surender Mandal Branch Incharge/ JA, Computer Branch, RADC, New Delhi. The application is heard via **CISCO WEBEX MEETING APP** in view of the lockdown and consequential closure of the courts on account of **pandemic of Corona Virus,**

In Online presence of

Sh. U. C. Saxena Senior PP from CBI
DSP Subhash Pandey IO of the case
Sh. Sandeep Kapur Advocate, Counsel for the applicant

The application has been moved by the applicant for extension of the permission to stay abroad, as was granted to the applicant vide order dated 07-02-2020. It is stated that vide order dated 07.02.2020 the Applicant was permitted to travel abroad from 10.02.2020 to 31.05.2020 and the Look Out Circular (“LOC”) issued against the Applicant was suspended for the said period. (copy of the order is annexed with the application as Annexure A. The Applicant is in Singapore with his family. It is stated that due to the current Covid-19 pandemic - the countries (Singapore and India) have gone under lockdown; no flights are operating between the countries; and thus the applicant suffers a handicap in complying the order dated 07-02-2020 to return. The applicant thus seeks extension of the order dated 07-02-2020 for a further period of three months.

The IO conceded that in the awake of existing situation there is no investigation being carried. Ld. Prosecutor though agreed that applicant cannot return in today's situation; yet added that the lockdown is being extended on 15 days basis and, therefore, a blanket extension of the permission to stay at Singapore for a period of three months would not be justified.

The applicant is relying upon the order of Hon'ble Madras High Court in **W.M.P.No.9077 of 2020** in **W.P.No.3949 of 2020** in an application filed by him against the Enforcement Directorate seeking a similar relief in a case pending there. The Hon'ble High Court accepting the plea of the applicant has granted him permission to stay at Singapore till 31-08-2020 and has also stayed the operation of LoC till then.

Applicant is in Singapore as of now with the permission of the court. It is understandable that the he is stuck there on account of prevailing circumstances; which fact has also not been refuted by the IO and the Prosecutor. The only objection taken by Ld PP is to the tenure of the extension, arguing that three months would be a longer then desired time. Ld. Counsel on the other hand has putforth his submission that as per the Civil Aviation Ministry the normal functioning of International flights might resume around August only. He also submitted that in the event of resumption of flights the applicant shall return immediately on the notice of IO if he is required to join the investigation.

We are in a state of uncertainty on when the normalcy will infact be restored. In such circumstances allowing the application for 15 days over and over again depending upon the extensions of lockdowns awaiting the restoration of international flights would not be a wise exercise.

The application is therefore allowed till 31-08-2020. The applicant is permitted to continue staying in Singapore till 31-08-2020 with all other interim protections and directions regarding security and Loc etc.as given in the order dated 07-02-2020. In case, however, the normalcy on

all relevant fronts is restored before 31-08-2020, the IO if he feels the need may seek a direction from the court for early return of the applicant to join the investigation. The applicant shall remain available on his mobile no. and email ID to be submitted, if not already submitted to the IO; which shall remain operative at all the times.

The application stands disposed in above terms.

Order was communicated to both the parties at the time of hearing. Copies of order shall be supplied to both the sides by the computer branch. The order in original shall be placed on judicial file as and when court reopens.

Copy of this order is being sent to Sh. Surender Mandal Branch Incharge/ JA, Computer Branch RADC for supplying to the parties and uploading on website. A copy is also being sent to Ahlmad of the court for record.

Dated 29-05-2020

Anuradha Shukla Bhardwaj
Special Judge PC Act 21
RADC New Delhi