

**IN THE SPECIAL COURT
(TRIAL OF OFFENCES RELATING TO TRANSACTIONS
IN SECURITIES) ACT, 1992**

**MISCELLANEOUS APPLICATION (CRIMINAL) NO.5 OF 2022
IN
SPECIAL CASE NO.2 OF 1998**

S. Ramesh Kumar ... Applicant
versus
Central Bureau of Investigation ... Respondent

Ms. Teja Katdare i/by Mirajkar and Associates, for Applicant.
Mr. A. Limosin, Sr. P.P. for CBI.

**CORAM: N.J.JAMADAR, J.
JUDGE, SPECIAL COURT**

DATE : 16th SEPTEMBER, 2022

P.C.

1. Heard the learned Counsel for the Applicant and the learned Counsel for the Respondent.
2. This Application is moved pursuant to the liberty granted by the Division Bench in Interim Application No.2481 of 2021 in Writ Petition No.2141 of 2014. Paragraph 5 of the said order reads as under :

“5. In view of this submissions and counter submissions, we are of the opinion that present application can be disposed of with directions to Respondent No.1 – CBI to handover passport of the Applicant bearing No.U926748 issued on 08/01/2021 for a limited period as to complete the necessary formalities to obtain Visa i.e. for 12 weeks and on completing the

necessary formalities, the Applicant should return the passport to the Respondent No.1 – CBIO and in case the formalities could not be completed within stipulated period of 12 weeks, the Applicant is at liberty to file an Application seeking the extension of period.”

3. The learned Counsel for the Applicant submits that the said period of 12 weeks as well as the period extended by this Court by an order dated 6th September, 2022 is over and the formalities to get the Visa are yet to be completed. The Applicant, therefore, seeks permission to retain the passport for a period of 20 weeks.

4. The Applicant was allowed to retain the passport so as to facilitate availing of Visa from the concerned Embassy. In the circumstances of the case, there does not seem any impediment in allowing the Applicant to retain the passport for a period of 20 weeks, subject to the Applicant seeking prior permission of this Court before travelling abroad.

5. The Application, thus, stands allowed in terms of prayer clause (a) which reads as under :

“(a) This Hon’ble Court be pleased to grant extension of liberty granted vide orders dated 08/03/2022, 01/06/2022 and 22/08/2022 and grant permission to the Applicant to retain for 20 weeks, his Passport bearing No.U926748.”

6. The Applicant shall not leave India without obtaining prior permission of this Court.

7. The Application stands disposed.

(N.J.JAMADAR, J.)