

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO(S). 1674/2015

ASSISTANT DIRECTOR, ENFORCEMENT DIRECTORATE

APPELLANT(S)

VERSUS

ASHOK RAMCHANDER CHUGANI & ANR.

RESPONDENT(S)

O R D E R

1. Heard learned counsel for the parties.
2. In view of the decision of this Court in Suresh Nanda v. Central Bureau of Investigation, (2008) 3 SCC 674, in which this Court has laid down that Enforcement Directorate has no right to impound the passport, it can only be impounded by the concerned Passport Authorities. As such we are not inclined to interfere with the impugned order.
3. Mr. Aman Lekhi, learned Additional Solicitor General of India has raised a submission that Respondent No.1 is a Dutch National and two cases of serious kind of offences are pending against him. Conditions may be imposed upon him that he may not leave the country till the conclusion of the cases.
4. The conditions are required to be imposed by the Trial Court. We leave it to the Trial Court to consider imposition of conditions, if any. It is not a subject matter of this appeal. However, for a period of two months from today, we direct that Respondent No.1 shall not be permitted to travel abroad. In the meantime, it is open to the appellant to move the Trial Court for imposition of appropriate conditions that Trial Court shall decide unfettered by observations made by this Court in this order. We also direct the Trial Court to expedite the trial.
5. The appeal is, accordingly, disposed of.

6. Pending application(s), if any, shall stand disposed of.

.....J.
[ARUN MISHRA]

.....J.
[INDIRA BANERJEE]

NEW DELHI;
FEBRUARY 18, 2020.



S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

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ASSISTANT DIRECTOR, ENFORCEMENT DIRECTORATE
VERSUS

APPELLANT(S)

ASHOK RAMCHANDER CHUGANI & ANR.

RESPONDENT(S)

(I.A. NO. 110563/2019 VACATING STAY AND I.A. NO. 196178/2019
APPLICATION FOR CLARIFICATION/DIRECTION TO BE LISTED
IA No. 110563/2019 - VACATING STAY)

Date : 18-02-2020 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ARUN MISHRA
HON'BLE MS. JUSTICE INDIRA BANERJEE

For Appellant(s) Mr. Aman Lekhi, ASG
Ms. Sonia Mathur, Sr. Adv.
Ms. Rashmi Malhotra, Adv.
Ms. Swati Ghildiyal, Adv.
Mr. B. Krishna Prasad, AOR
Mr. Susheel Dubey, Adv.
Mr. Puneet Pathak, Adv.

For Respondent(s) Mr. Kailash Vasdev, Sr. Adv.
Mr. Nitin Sangra, Adv.
Mr. Mahesh Kumar, Adv.
Mr. Suushant Yadav, Adv.
Mr. Umrao Singh Rawat, Adv.
Ms. Nayan Tara, Adv.
Ms. Devika Khanna, Adv.
Mrs. V.D. Khanna, AOR

Mr. Rahul Chitnis, Adv.
Mr. Aaditya A. Pande, Adv.
Mr. Sachin Patil, AOR

UPON hearing the counsel the Court made the following
O R D E R

The appeal is disposed of in terms of the signed order.

(NARENDRA PRASAD)
A.R-CUM-P.S.

(JAGDISH CHANDER)
COURT MASTER

(Signed order is placed on the file)