Directorate of Enforcement Vs. M/s. Sunstar Overseas Ltd. & Ors. (applicant, Paramjeet @ Paramjeet Sharma)
CNR No.: DLCT01-013456-2024
CC No.: 01/2024
ECIR No.: GNZO/09/2021
Under Sections: 3, 4, 70, 44, 45(1) PMLA Act, 2002
PS.: EOW

09.03.2026

Present: Mr. Simon Benjamin, Ld. SPP for ED.
Mr. Manoviraj Singh, Ld. Counsel for the accused/applicant, namely, Paramjeet @ Paramjeet Sharma.

<u>O R D E R</u>

1. The present application has been moved on behalf of the applicant/accused, namely, Paramjeet @ Paramjeet Sharma (*hereinafter referred to as the* '***applicant/accused***'), seeking permission to travel abroad, *i.e.*, to Singapore for a period of 8 (eight) days *w.e.f.* 12.03.2026 to 19.03.2026 and to Vietnam for a period of 5 (five) days *w.e.f.* 05.04.2026 to 09.04.2026.

2. Ld. Counsel for applicant submitted that the applicant has been arraigned as accused no. 13 in the present complaint, which is pending adjudication before this Court. As per the Ld. Counsel, the applicant intends to visit Singapore for the purpose of a family vacation along with his wife, namely Mrs. Seema Sharma and his sons, namely Purav Sharma and Omansh Sharma *w.e.f.* 12.03.2026 to 19.03.2026. Correspondingly, Ld. Counsel for the applicant submitted that subsequently, the applicant desires to visit Vietnam for the purpose of a 'Company Retreat', along with his thirty other employees, as an off-site event designed to take employees away from their daily routines to foster collaboration, boost morale and strengthen team bonds through shared activities. As per the Ld. Counsel, subsequent to

ABHISHEK GOYAL Digitally signed by ABHISHEK GOYAL Date: 2026.03.09 14:31:34 +0530 registration of the CBI case and the present ECIR, the applicant had travelled abroad on various occasions and has always timely returned to India as well as duly joined the investigation. In this regard, Ld. Counsel further submitted that the applicant was granted bail by the Hon'ble Delhi High Court *vide* order dated 07.05.2025, taking into account *inter alia* the factum of applicant's complete/full cooperation with the investigation authorities, his clean antecedents, as well as applicant's clear commitment to attending all proceedings.

2.1. Correspondingly, it was submitted by Ld. Counsel for the applicant that similar permissions were earlier granted to the applicant by the Hon'ble High Court as well as by this Court and the applicant had duly returned to India, within the period/time accorded for such travel. It was further submitted that the applicant has thoroughly co-operated/assisted Directorate of Enforcement (*hereinafter referred to as* '***ED***') in investigation, with no evidence suggesting any flight risk or intention to interfere with the case. Even otherwise, it was argued that the applicant is an upstanding member of the society with deep roots and that there is no reason to anticipate that the applicant might abscond from the law or flee from justice. It was further submitted by Ld. Counsel that the investigation *qua* the applicant has concluded, and the prosecution complaint has already been filed in the present case, matter being at the stage of hearing on cognizance. Ergo, it was argued that denying applicant, permission to travel abroad would harm his professional and personal commitments, as the applicant intents to visit Vietnam for the purpose of company retreat and foster personal relations.

2.2. Further, as per Ld. Counsel, the applicant maintains strong familial ties in India and is committed to return to India, post his proposed travel. It was further argued that it is settled law that the *'personal liberty'* as guaranteed to the applicant under Articles 19 and 21 of the Constitution of India *(hereinafter referred to as* ***'Constitution'****)* includes the right to travel abroad freely and without any impairment. Ld. Counsel further submitted that the applicant is seeking permission to travel abroad only to commit his personal and professional duties as well as undertakes to comply with any and all conditions/directions, imposed by the Court. Further, as per Ld. Counsel, grave prejudice would be caused to the applicant in case the permission as entreated is not accorded. On the contrary, as per the Ld. Counsel, no damage/loss would accrue to ED in case the permission as sought for is allowed. Accordingly, it was prayed that the applicant be permitted to travel to Singapore and Vietnam for the aforesaid purpose. In support of the said contentions, reliance was placed upon the decisions in; ***Raghav Bahl v. Enforcement Directorate Ministry of Finance, WP (Crl.) 2392/2021, dated 09.11.2023 (DHC); Nitya Nand Gautam v. Central Bureau of Investigation, Crl. A. 585/2020, dated 24.01.2025 (DHC); Rahat Hrishikesh Deshmukh v. Ministry of External Affairs, WP (Crl.) No. 2429/2023, dated 01.09.2023 (DHC); Mukesh Gupta v. CBI, WP (Crl.) 535/2019, dated 25.04.2025 (DHC); Sunny Gaur v. Union of India, WP(C) No. 3607/2022, dated 20.03.2023 (DHC);*** and ***Kavi Arora v. SFIO, WP (C) 12852/2023, dated 22.03.2024 (DHC)***.

3. *Per contra,* Ld. SPP for ED outrightly asserted that the applicant is involved in the commission of serious white-collar offence, involving, identified and qualified proceeds of crime as on date to a tune of Rs. 539 Crores, while proceeds of crime located and attached are worth Rs. 322 Crores. As per Ld. SPP, the

total proceeds of crime involved is approximately Rs. 951 Crores and the proceeding in the present case are still at a nascent stage. Accordingly, as per Ld. SPP, there is still a likelihood of the applicant's tampering with the evidence and influencing the witnesses, if permitted the relief as sought for in the present application. Ld. SPP further submitted that due consideration has to be given to the fact that prosecution complaint has been filed in the present case for the offences of money laundering as specified under Sections 3/4 of the Prevention of Money Laundering Act, 2002 (*hereinafter referred to as* '***PMLA***'). Ld. SPP further submitted that the grant of permission to applicant to travel abroad may pose a threat to the ongoing investigation as there is high possibility of muddying of potential proceeds of crime *via* transfer, alienation, or appropriation in guise of business transaction. Ld. SPP for ED further submitted that if the permission to travel abroad is allowed, same may compromise the final outcome of subject PMLA case, which is pending adjudication before this Court and the facts of present case involve huge amount of public money and commission of serious economic offence of money laundering, which in itself is considered to be gravest offence against the society at large and hence, the application deserves outright rejection.

3.1. Ld. SPP for ED further submitted that in case the relief as sought for his granted in favour of the applicant, there is a likelihood of the applicant evading the present proceeding as well as transferring, alienating, misappropriating the proceeds of crime in the guise of business transaction. Further, as per Ld. SPP, the applicant has made out no compelling, emergent or unavoidable circumstances, warranting any relaxation in favour of the applicant at this stage. Ld. SPP further submitted that the permission of the Hon'ble High Court cannot be read as a direction to this Court to allow the present application in all circumstances, rather, the same has to be a cautionary exercise. As per Ld. SPP, the risk of flight and potential impact of the applicant's proposed travel ought to be given due consideration as the same is likely to derail the ongoing investigation. Even otherwise, it is asserted that the present application must be considered on its own merits and that the past conduct of the applicant is insignificant/immaterial for such adjudication. Ld. SPP further submitted that mere assertion of applicant's family ties, residential status, and prior instances of return from travel abroad cannot be construed as an absolute guarantee that the applicant would comply with future legal obligations, especially when there are several examples where businessman, found involved in the economic offences have misused the opportunity and fled away despite such family roots. It was further submitted that mere 'so called' cooperation with investigation officers would not preclude the necessity of travel restriction in the instant case as there is a reasonable likelihood of applicant's absconding, if permitted to travel abroad. Accordingly, Ld. SPP for ED has submitted that the present application may be dismissed.

4. The arguments of Ld. Counsel for applicant and that of Ld. SPP for ED, heard as well as case records, thoroughly perused.

5. At the outset, this Court deems it pertinent to observe that the superior courts have tirelessly avowed that right to travel abroad is of the fundamental rights, guaranteed under Articles 19 and 21 of the Constitution (***Maneka Gandhi v. Union of India, AIR 1978 SC 597***). Further, this Court deems it pertinent to refer the decision of the Hon'ble High Court of Madras, in ***E.V.***

Perumal Samy Redyy v. State, 2013 SCC Online Mad 4092, wherein the Hon’ble Court observed as under;

> *“9. It is basic that **merely because a person is involved in a criminal case, he is not denude of his Fundamental Rights. It is the fundamental of a person to move anywhere he likes including foreign countries**. One's such personal freedom and liberty cannot be abridged. [See : Article 21 Constitution of India]. In the celebrated in Menaka Gandhi v. Union of India [(1978) 1 SCC 248 : AIR 1978 SC 597], the Hon'ble Supreme Court upheld the constitutional right of persons to go abroad. The phrase no one shall be deprived of his “life and liberty” except procedure established by law employed in Article 21, had deep and pervasive effect on fundamental right and human right. Menaka Gandhi (supra) ushered a new era in the annals of Indian Human Rights Law. It had gone ahead of American concept of ‘Due Process of Law’.*
>
> *10. But, **the fundamental right to move anywhere including foreign countries could be regulated. Where persons involved in criminal cases are wanted for investigation, for court cases, persons, who are anti-social elements their movements can be regulated**. Need may arise to apprehend persons, who have ability to fly, flee away the country. So, L.O.C. orders are issued. It is an harmonius way out between a person's fundamental right and interest of the society/state. But, in any case, it must be fair and reasonable. It should not be indiscriminate without any reason or basis.”*
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> *(Emphasis supplied)*

6. Correspondingly, the Hon'ble Supreme Court in ***Parvez Noordin Lokhandwalla v. State of Maharashtra, (2020) 10 SCC 77,*** remarked, as under;

> *“19. In Barun Chandra Thakur v. Ryan Augustine Pinto [Barun Chandra Thakur v. Ryan Augustine Pinto, 2019 SCC Online SC 1899], this Court restored a condition mandating that the respondent seek prior permission from a competent court for travel abroad. The condition, which was originally imposed by the High Court while granting anticipatory bail was subsequently deleted by it. This Court made the following observations with respect to imposing restrictions on the accused's right to travel: (SCC OnLine SC para 9)*

*"9. … There could be no gainsaying to that the **right to travel abroad is a valuable one and an integral part of the right to personal liberty**. **Equally, however, the pre-condition of securing prior permission before travelling abroad is a crucial ingredient which undoubtedly was engrafted as a condition for the grant of anticipatory bail in this case** … At best, the condition for seeking permission before travelling abroad **could have been regulated, not deleted altogether**."*

*20. This Court has passed multiple orders previously allowing an accused enlarged on bail to travel abroad. In Ganpati Ramnath v. State of Bihar [Ganpati Ramnath v. State of Bihar, 2017 SCC OnLine SC 1998], this Court allowed an accused applicant to travel abroad for medical treatment, modifying its earlier bail order, noting that the applicant had travelled abroad on the ground of medical necessity on six occasions with the permission of the court and had returned. In K. Mohammed v. State of Kerala [K. Mohammed v. State of Kerala, 2020 SCC OnLine SC 860], this Court allowed the appellant-accused to travel abroad to meet in the exigencies of a family situation. In Tarun Trikha v. State of W.B. [Tarun Trikha v. State of W.B., 2015 SCC OnLine SC 1879], this Court allowed the petitioner-accused to travel to Indonesia in connection with his employment and to return once the work was completed. In Pitam Pradhan v. State of A.P. [Pitam Pradhan v. State of A.P., 2014 SCC OnLine SC 1795], this Court while granting anticipatory bail, **permitted the petitioner to travel abroad noting that his job required him to travel abroad at frequent intervals and may lose his employment if he were not permitted to travel abroad**."*

(Emphasis supplied)

7. Correspondingly, quite recently, the Hon'ble High Court of Madras in ***Pathan Apser Hussen v. Bureau of Immigration & Ors., W.P. Nos. 27686 & 28518 of 2024, dated 06.12.2024***, noted as under;

"12. Life in the fullest sense is accomplished when the life is allowed to grow and prosper, and is let to halt only where one chooses to halt. In that sense, right to grow and prosper cannot be limited to material growth, but it extends to every aspect of life, from

physical, mental, material, emotional and spiritual well-being. ***<u>From holidaying to building relationship to professional engagement to pilgrimage and education, there can be endless human activities which can fall with in this concept, and each of them may contribute to one's growth and prosperity. The choice rests with the one who holds the right</u>***. *How one exercises one's right to life is not the concern of law as long as it is legitimate. In that sense the manner of its exercise is part of one's privacy, and that space belongs to the one who holds the right and exercises it. If so viewed, right to grow and prosper can also be seen as part of right to privacy. Eventually, whether it is considered as an independent species of right or as a limb of right to privacy,it still belongs to the family of right to life.*

*** *** ***

17. If ***<u>right to grow and prosper is a facet of right to life, then necessarily right to travel abroad can be read not just an aspect of liberty, but also as an integral right within the right to life itself. Liberty and life do not exist in mutual exclusivity, but they fuse to define the life and its quality under the Constitution</u>***. *Having stated thus, it may have to be added that it is plainly immaterial whether right to travel abroad should be respected as an aspect of liberty or right to life. Semantics may fascinate a theoretician, but a functional Constitution considers worthy that which is eventually delivered to promote the aspirations of individuals to grow and prosper.*

18. Despite geographical barriers dividing the nations, despite the political ideologies separating human minds, <u>the world still offers a lot to exchange within its constituent countries for mutual growth and prosperity. There is no world state, but surely there is a global village. And, every person's right to life which the Constitution protects is part of this larger scheme.</u> ***<u>Opportunity to grow in the contemporary world is defined by the ability to see, seek and seize an opportunity, and where there is an opportunity to grow and prosper, there surely may arise a need to travel</u>***. *<u>Growth defies inertia and so does travel. After all, man is not a grazing cow to waste his life in the meadow of the neighbourhood</u>…"*

(Emphasis supplied)

8. Ergo, in light of the aforesaid judicial dictates, when the contents of the present application and the facts of the present case are scrupulously analyzed, it is observed that the applicant

has specifically recorded under his application the purpose of his proposed visit, besides under para no. 6(b) and 6(c) of the present application, the applicant has further specified the particulars of his previous travel abroad as under;

S. No.	**Country**	**Date of Travel**
1.	Dubai	11.02.2022 to 18.02.2022
2.	Switzerland	23.11.2022 to 05.12.2022
3.	USA	08.07.2023 to 19.07.2023
4.	Thailand	13.09.2023 to 16.09.2023
5.	Mauritius	21.09.2023 to 25.09.2023
6.	Turkey	01.09.2025 to 07.09.2025
7.	Germany	02.10.2025 to 10.10.2025
8.	Dubai	23.01.2026 to 31.01.2026
9.	Germany	08.02.2026 to 15.02.2026

9. Correspondingly, it is observed that the applicant has since been permitted bail by the Hon'ble High Court *vide* order dated 07.05.2025 *inter alia* subject to the following terms and conditions;

> "*...38. … The applicant is directed to be released on bail upon his furnishing a personal bond in the sum of Rs.1,00,000/- alongwith two sureties of like amount to the satisfaction of the learned Trial Court/Link Court, further subject to the following conditions:-*
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> *i. The memo of parties shows that the applicant is residing WIC-053. Wellington Estate, Sector 53. Gurugram. Haryana. In case of any change of address, the applicant is directed to inform the same to the learned Trial Court/Investigating Officer.*
>
> *ii. **The applicant shall not leave India without the prior permission of the learned Trial Court**.*
>
> *iii. The applicant is directed to give all his mobile numbers to the Investigating Officer and keep them operational at all times.*
>
> *iv. The applicant shall not, directly or indirectly. tamper with evidence or try to influence the witness in any manner.*
>
> *v. In case it is established that the applicant tried to tamper with the evidence, the prosecution will be at liberty to apply for cancellation of his bail...*"
>
> *(Emphasis supplied)*

10. Markedly, in compliance of the said order, the applicant has duly submitted his bail bonds/surety, which has already been accepted by this Court, besides, the applicant is asserted to have duly joined in the investigation as well as tendered his statement(s) under Section 50 PMLA. Pertinent to further note that the applicant has earlier also traveled in past for his business purposes. Conspicuously, similar application was allowed by this Court *vide* order dated 07.08.2025, permitting the applicant to travel to Istanbul, Turkey *w.e.f.* 01.09.2025 to 07.09.2025; *vide* order dated 25.09.2025, permitting the applicant to travel to Germany from 02.10.2025 to 10.10.2025; and *vide* order dated 12.01.2026, permitting the applicant to travel to Dubai *w.e.f.* 23.01.2026 to 31.01.2026 and Germany *w.e.f.* 08.02.2026 to 15.02.2026 for his business purposes and admittedly, the applicant duly returned to India on time. At the same time, the applicant is stated to have duly joined the investigation and the said facts pertaining to the applicant's joining the investigation, as also, tendering his statement under Section 50 PMLA have not been denied by Ld. SPP for ED/ED, however, it has been merely contended that the applicant's travel abroad would prejudice further investigation in the present case and that the applicant may tamper with the prosecution evidence/witnesses. Further, as aforenoted, Ld. SPP has objected to the grant of permission for travel to the applicant on the ground that the offence is instant case is grave pertaining to economic offences and that the applicant's presence in India would be difficult to be ensured, once he is permitted to travel abroad. However, the said contention does not find favour with this Court in view of the aforesaid dictates and also for the reason that the applicant has sought for a limited duration permission to travel abroad, assuring his return on

expiration of the period so granted. Even otherwise, this Court is also not impressed with the contention of Ld. SPP for ED that the applicant may not be permitted to travel for leisure or retreat purpose for the reason that in aforenoted dictates the superior courts have persistently avowed that right activities including, holidaying to building relationship to professional engagement to pilgrimage and education, all fall within the ambit of said right, whilst contributing to an individual's growth and prosperity. Needless to reiterate that superior courts have persistently avowed that right to travel abroad is one of the basic facets of Article 19/21 of the Constitution and a fundamental right, which is even available to an accused facing trial. In fact, superior courts have, in unambiguous terms, noted that right to travel is a valuable fundamental right and can be curtailed under exceptional circumstances, which are not forthcoming at present. Needless to further note that similar permissions have been accorded to an accused facing trial/in appeal proceedings by superior courts, including the judgments relied upon by Ld. Counsel for the applicant, being wary of the right sought to be exercised and want of any exceptional circumstances, necessitating putting fetters to the exercise of such right. Correspondingly, even the Hon'ble High Court under the order dated 07.05.2025, while permitting bail to the applicant, did not absolutely restrain the applicant from travel, rather, merely directed that the applicant would not leave India without prior permission of Court.

11. Accordingly, under such understanding, reverting to the facts of the present case and considering that the applicant has admittedly joined the investigation with ED, statement of the applicant under Section 50 PMLA has already been recorded; the applicant has prayed for a limited time period of travel permission,

assuring his presence in India on 19.03.2026 and 10.04.2026, respectively after conclusion of his travel plans on each occasion; the applicant had travel abroad on past several occasion and had duly returned to India, on time; trial is likely to take some time; and further considering that no laxity on the part of the applicant in past or exceptional circumstances curtaining such right is forthcoming at this stage, this Court deems it pertinent to ***allow*** the present application and ***permit*** the applicant to travel to **Singapore** for a period of **08 (eight) days** *w.e.f.* **12.03.2026** to **19.03.2026** and to **Vietnam** for a period of **05 (five) days** *w.e.f.* **05.04.2026** to **09.04.2026, subject to the applicant's conforming with the terms, as specified herein.** Pertinently, the applicant has already filed his flight tickets and hotel booking, however, the applicant is directed to abide by the other terms and conditions, as noted herein.

12. Ergo, **the applicant is directed to furnish one surety in a sum of Rs. 10,00,000/- (Rupees Ten Lakhs only), in the name of this Court (ASJ-03, Central, Tis Hazari Courts, Delhi),** subject to the satisfaction of this Court. Further, the applicant is directed to furnish the record of finalized Hotel booking, for his proposed travel; the details of his family members, including their contact details as well as his contact particulars, where he may be approached by the officials of ED during his stay/travel abroad during the aforesaid period. Further, it is directed that in case of change of residential address, particulars of contact details or office address of the applicant, he shall inform the same to the concerned officials of ED within the period of two days of such change. The applicant is further directed to ensure that he would **cooperate with the concerned officials of ED during the investigation process** as well as inform the concerned officials of

ED, **upon his return to India**, within a period of 48 hours therefrom. Further, **the applicant shall not alienate** any movable or immovable assets belonging to him or to the persons related to him during the said period. Lastly, **the applicant would also furnish in this Court,** attested copy of his passport along with copy of visa of the country, where he visited, **within a period of five days of his return from abroad**.

13. The application is, accordingly, ***disposed off*** in above terms.

14. A copy of this order be given ***dasti*** to Ld. Counsel for the applicant.

15. Further, a copy of this order be also given ***dasti*** to the Ld. SPP/IO for ED.

ABHISHEK GOYAL
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Abhishek Goyal
ASJ-03, Central District,
Tis Hazari Courts, Delhi
09.03.2026