

**IN THE COURT OF SH. JITENDRA SINGH,
SPECIAL JUDGE (PC ACT) (CBI)-23
(MPs/MLAs Cases),
ROUSE AVENUE DISTRICT COURTS, NEW DELHI**

IA No. 220/2026

CT No. 31/2022

CNR No. DLCT11-000747-2022

In the matter of :-

**Directorate of Enforcement vs. Sameer Mahandru and Others
(Applicant/A-23 Gautam Malhotra)**

ORDER

1. This order adjudicates application dated 03.01.2026 moved on behalf of A-23 Gautam Malhotra (hereinafter to be referred as ‘applicant’) seeking permission to travel abroad i.e. Dubai with effect from 05.01.2026 to 15.01.2026 and for suspension of Look Out Circular (hereinafter to be referred as ‘LOC’), issued against him.

2. In the application, it is averred that the applicant intends to travel to Dubai along with his family for accompanying his son, who is pursuing his studies at the University of Birmingham, Dubai and to stay with him for a brief period prior to the commencement of his forthcoming academic semester. It is further submitted that the applicant was accorded bail by this Court, vide order dated 06.05.2023, wherein it was directed that the applicant shall not leave the country without prior permission of this Court. The applicant has not violated any condition of the bail. It is also submitted that the applicant has been permitted to travel abroad by suspension of the LOC on multiple occasions, whereby he had fully complied with the conditions imposed upon him while permitting him to travel abroad. It is, therefore, prayed that the applicant may be allowed to travel abroad.

3. Per contra, Ld. SPP for the ED has filed reply to the present application contending that the applicant is one of the beneficiaries in the entire Delhi Excise Policy Scam. It is alleged that

the applicant entered into a criminal conspiracy and used proxies/dummies to hide the true identity of certain entities, namely, M/s Omsons Marketing Pvt. Ltd., M/s Malbros International Pvt. Ltd, M/s Oasis Distilleries Pvt. Ltd and L1 wholesale in the name of M/s Gautam Wines Pvt. Ltd. and 2 retail zones. The applicant has fraudulently obtained the retail and wholesale licences to which they were not permitted under the policy. There is a reasonable apprehension that allowing the applicant to travel abroad may cause grave prejudice to the effective investigation. It is also submitted that prima facie case has been made out against the applicant and therefore, the LOC against the applicant should not be closed. Reliance has been placed upon the judgments of *Sumer Singh Salkan vs. Asst. Director & Ors. ILR (2010) Del 706*, *Y.S. Jagan Mohan Reddy vs. CBI (2013) 7 SCC 439*, *S. Martin Vs. Deputy Commissioner of Police 2014 SCC OnLine Mad 426*, *Ram Jethmalani vs. UOI (2011) 8 SCC 1* and *Chaitya Shah vs. UOI 2021 SCC OnLine Bom 3967*. He has, thus, prayed for dismissal of the application.

FINDINGS

4. I have heard Ld. Counsel for the applicant and Ld. SPP for the ED, and have also perused the record.

5. The applicant seeks permission to travel to Dubai primarily for accompanying his son to provide familial support and ensure his well-being, along with suspension of the LOC issued against him for the duration of his travel.

6. Record indicates that the applicant was granted bail, vide order dated 06.05.2023, wherein it was held that the applicant shall not leave the country without prior permission of this Court. Admittedly, the applicant is on bail and, therefore, it cannot be claimed that he is a flight risk. Earlier, the applicant has already been

allowed to travel abroad, vide orders dated 12.02.2025, 30.05.2025, 15.07.2025, 16.09.2025, 15.11.2025 and 03.12.2025. It is not the case of the ED that the applicant has misused the liberty earlier granted to him for travelling abroad. There is nothing on record to suggest that the applicant does not have roots in the society.

7. In view of the aforesaid, **applicant/A-23 Gautam Malhotra is permitted to travel to Dubai with effect from 05.01.2026 to 15.01.2026**, subject to compliance of the following conditions:-

(i) Applicant shall submit affidavit giving complete itinerary of his travel and stay abroad alongwith the addresses where he is going to stay, his phone numbers and E-mail IDs on which he can be contacted, before leaving the country

(ii) Applicant shall submit self attested copies of his travel documents viz. passport/visa, air tickets etc. relating to his journey before leaving the country,

(iii) Applicant shall furnish FDR of Rs. 25,00,000/- (Rupees twenty five lakh only), prior to his travel,

(iv) Applicant shall not try to contact any co-accused or try to tamper with the evidence or influence any witness while travelling abroad,

(v) Applicant shall intimate his return to this Court within 72 hours of his return to India by filing a copy of his passport and Visa.

8. **The application is allowed and the LOC, if any, issued against applicant/A-23 Gautam Malhotra by the ED is hereby suspended for the period of his travel, as above, till his return to India.**

9. The ED is directed to inform the authorities concerned that LOC issued against applicant/A-23 Gautam Malhotra shall remain under suspension for the period of his travel i.e. 05.01.2026 to 15.01.2026.

10. The present application stands disposed of accordingly.

**Announced in the open Court
on 05.01.2026.**

**(Jitendra Singh)
Special Judge (PC Act) CBI-23
(MPs/MLAs Cases)
RACC, New Delhi; 05.01.2026**