



2026:DHC:274

\$~1 (Appellate Matter)

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(CRL) 2199/2021

P.S. GAHLAUT

..... Petitioner

Through: Mr. Alok Kumar, Ms. Deepti Bhardwaj, Mr. Kunal Arora, Mr. Jivtesh Singh Sandhu, Ms. Raghwi Rawat, Advs.

versus

UNION OF INDIA & ORS.

..... Respondents

Through: Mr. Ripu Daman Bhardwaj, CGSC with Mr. Khushagra Kumar, Mr. Abhinav, Advs. for UOI.
Mr. D. P. Singh, SPP with Mr. Manu Mishra, Ms. Shreya Dutt, Advs. for CBI/R-2.
Mr. Zoheb Hossain, Mr. Vivek Gurnani, Mr. Karthik Sabbarwal, Mr. Vivek Gaurav, Ms. Abhipriya, Ms. Radhika Puri, Advs. for ED.

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

ORDER

19.02.2024

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CRL.M.A. 3835/2024 in W.P.(CRL) 2199/2021

1. The present petition has been filed by the petitioner seeking suspension of Look Out Circular issued by respondent Nos. 2 to 4 and further praying that the petitioner be allowed to travel to attend Board Meeting of Jordan India Fertilizer Company L.L.C (“**JIFCO**”) and Board Meeting of Jordan Phosphate Mines Company (“**JPMC**”) in Amman, Jordan from 28.02.2024 to 03.03.2024.



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2. The premise on which the permission to travel has been sought by the petitioner is that he has to attend the following official meetings in his capacity as Managing Director of Indian Potash Limited (“IPL”), a Company incorporated under the Companies Act, 1956; as a Member of the Board of Director of JPMC and JIFCO:
- (i) Board Meeting of JIFCO which is scheduled on 29.02.2024 in JIFCO's Office in Amman, Jordan.
- (ii) Board Meeting of JPMC which is scheduled on 02.03.2024 in JPMC's Office in Amman Jordan.
3. Learned counsel for the applicant / petitioner submits that on earlier occasions also, the applicant has been granted permission to travel to Amman, Jordan, Riyadh, Prague, Bangkok on 08 previous occasions, vide orders dated 04.03.2022, 16.08.2022, 31.10.2022, 04.05.2023, 03.07.2023, 28.08.202, 19.10.2023 and 11.12.2023. He further submits that the Applicant has been joining investigation as and when required by the investigating agency.
4. The complete itinerary of the applicant / petitioner for his visits to Amman has been given in para 9 of the application which reads as under: -

For travel to Amman, Jordan & Back to Delhi

Date	From - To	Flight No.
28.02.2024	Delhi – Doha 09.55 Hrs – 11.55 Hrs	QR 571
28.02.2024	Doha - Amman 13.50 Hrs - 17.05 Hrs.	QR 6112



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02.03.2024	Amman – Doha 20.35 Hrs – 23.10 hrs	QR 401
03.03.2024	Doha - Delhi 02.20 Hrs – 08.25 Hrs.	QR 570

While in Amman, Jordan the applicant / petitioner will be staying at The Ritz Carlton, 5th Circle, Al Kindi Street, Amman -11185, Jordan.

5. Learned counsel appearing on behalf of the Respondent / ED submits that he is adopting his previous reply filed vide dairy no. 719108-2023. However, separate reply has been filed by the respondent / CBI.
6. Learned counsel appearing on behalf of the respondents have raised objection to present application in terms of their reply and express apprehension as regard the genuineness of the purpose of applicant's visits to the aforesaid country.
7. To address the apprehension of the respondents, the learned counsel for the applicant / petitioners invites attention of the court to Annexure A-3& A-4 which are the invitation letters/ notices addressed to the applicant / petitioner to attend the aforementioned meetings on the dates given above.
8. It is a matter of record that similar objections were raised by the learned counsel for the respondents on earlier occasions when the applicant sought permission to visit Amman (Jordan), Riyadh (Saudi Arabia), Bangkok (Thailand) and Prague(Czech Republic). However this court granted permission to the applicant to travel abroad in identical circumstances and suspended the LOC.



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9. In view of the above, the applicant is permitted to travel to Amman (Jordan) as per the itinerary mentioned in para 4 hereinabove subject to the following conditions:
- a) That the petitioner shall furnish a fixed deposit of Rs. 50 Lakhs with two sureties in the like amount, one of which shall be by IPL;
 - b) The petitioner shall not visit any destination other than Amman (Jordan) from 29.02.2024 to 03.03.2024;
 - c) The petitioner shall take return flights to India as per itinerary mentioned in para 4 above and provide the details of his departure/arrival to the concerned officials of respondent Nos.2 and 3 in advance;
 - d) On his return to India, the petitioner shall file his affidavit stating the outcome and achievements of his visit before this Court as well as before the Department of Fertilizers;
 - e) The petitioner shall furnish his mobile number at the time of furnishing of surety, which he undertakes to keep operational at all times during the period of his visits;
 - f) Upon his return to India, the petitioner shall furnish copy of his passport to the concerned officials of respondent Nos.2 and 3, in pursuance of his undertaking to not travel to any place other than those mentioned in para 9 (b) above.
10. Learned senior counsel for the petitioner/ applicant submitted that FDRs worth Rs. 50 Lakhs each (valid for 2 years) which were deposited by the applicant/petitioner and other two sureties have been verified by the learned Joint Registrar. Said FDRs are still in the custody of the Registry of this court. Accordingly, requirement for



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furnishing of FDRs furnished by the petitioner and the verification of the sureties by the Joint Registrar is being dispensed with.

11. Learned counsel appearing on behalf of applicant / petitioner submits that on one of a previous occasion when the applicant / petitioner had travelled to Jordan his passport was seized by the authorities at Jordan on the ground that there is a blue corner notice issued against him despite a clarification having been inserted in the one of the earlier orders dated 03.07.2023. He urges this court to issue appropriate directions so that the blue corner notice does not come in the way of petitioner's visits to the aforesaid countries.
12. Accordingly, the National Central Bureau (NCB) is directed to convey to the concerned Interpol Authorities of the aforesaid country with regard to the permission having being granted by this court to the petitioner to travel to the said countries, to ensure that the visit of the petitioner to the said countries on the dates specified hereinabove, in not obstructed by blue notice, if any issued.
13. The respondents (CBI / ED) are directed to communicate this order to the National Central Bureau (NCB). The applicant / petitioner is also at liberty to communicate this order to the NCB.
14. List on 22.03.2024 i.e. on the date already fixed.
15. The application stands disposed of.
16. Order *dasti* under the signatures of the Court Master.

DINESH KUMAR SHARMA, J

FEBRUARY 19, 2024/AR..