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

+ W.P.(CRL) 2199/2021

P.S. GAHLAUT

.....Petitioner

Through: Mr. Alok Kumar, Mr. Kunal Arora,
Mr. Divyansh Soni and Ms. Parnika
Jolly, Advs.

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Mr. Ripudaman Bhardwaj, CGSC
with Mr. Kushagra Kumar and Mr.
Abhinav Bhardwaj, Advs. for UOI
Mr. Zoheb Hossain, Special counsel,
ED, Mr. Vivek Gurnani, SC, Mr.
Manish Sain, Mr. Kartik Sabharwal,
Mr. Pranjal Tripathi and Mr.
Suradhish Vats, Advs. for ED.
Mr. Atul Guleria, SPP-CBI with Mr.
Aryan Rakesh and Mr. Pankaj Kumar,
Advs. for CBI.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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14.01.2025

CRL.M.A. 884/2025 in W.P.(CRL) NO. 2199/2021

1. The present application has been filed by the petitioner seeking suspension of Look Out Circular issued by respondent Nos. 2 to 4 and further praying that petitioner be allowed to travel to Amman, Jordan from 13.02.2025 to 19.02.2025.
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:



- A. To attend the 77th Meeting of Board of Directors of Jordan India Fertilizer Company L.L.C (“JIFCO”) scheduled to be held on 14.02.2025 at the JIFCO Office located at 98 Wasif Al-Tal Street, Amman, Jordan
- B. To visit the JIFCO storage Tank and the Jordan Phosphate Mines Company, PLC (“JPMC”) and NFJC at Aqaba on 15.02.2025 and 16.02.2025
- C. To attend the Board Meeting of JPMC scheduled to be held on 17.02.2025
3. The learned counsel for applicant / petitioner submits that on various earlier occasions also, the applicant has been granted permission to travel to Amman, Jordan, Riyadh, Prague, Hong Kong, Bangkok, *vide* orders dated 04.03.2022, 16.08.2022, 31.10.2022, 04.05.2023, 03.07.2023, 28.08.2023, 19.10.2023, 11.12.2023, 19.02.2024, 15.04.2024, 05.06.2024, 13.08.2024, 07.10.2024 and 10.12.2024. 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, Jordan has been given in paragraphs 7 of the application.

The travel details for **Amman, Jordan** & back to **Delhi** are as under:

DATE	FROM - TO	FLIGHT NO.
13.02.2025	Delhi – Doha 09.55 HRS – 11.50 Hrs	QR 571
13.02.2025	Doha - Amman 16.00 Hrs – 19.05 Hrs	QR 400
18.02.2025	Amman – Doha 13.45 Hrs – 16.15 Hrs	QR 403
18.02.2025	Doha - Delhi 20.05 Hrs – 02.05 Hrs. (19.02.2025)	QR 578

On 13.02.2025, the applicant would be travelling from Doha to Amman, Jordan by flight No. QR 400, however, in the event of missing / cancellation of the said flight,



the Applicant will be travelling by the next available flight. Likewise, in the event of missing/cancellation of the flight No. QR 403 or QR 578 on 18.02.2025, the Applicant will be travelling back to Delhi by the next available flight. While in Amman, Jordan the applicant / petitioner will be staying at The Ritz Carlton, 5th Circle, Al Kindi Street, Amman -11185, Jordan.

5. The learned counsel appearing on behalf of Respondent No. 2/ CBI and Respondent No. 3 / ED submit that they are adopting their previous replies filed.

6. The learned counsel appearing on behalf of respondents have raised objection to the 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 respondents, the learned counsel for applicant / petitioners invites attention of the Court to Annexures A-3 which are the invitation letters/ notices addressed to the Applicant / Petitioner to attend the aforementioned meetings on the dates given above.

8. It is matter of record that similar objections were raised by the learned counsel for the respondents on earlier occasions when applicant sought permission to visit Amman (Jordan), Riyadh (Saudi Arabia), Bangkok (Thailand), Hong Kong (China) and Prague (Czech Republic), but this Court granted permission to applicant to travel abroad in identical circumstances and suspended the LOC.

9. In view of the above, applicant is permitted to travel to Amman (Jordan) as per the itinerary mentioned in para 4 hereinabove subject to the following conditions:

- a. That 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. Petitioner shall not visit any destination other than Amman (Jordan) from 13.02.2025 to 19.02.2025;



- c. 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, 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. 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, 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. The learned counsel appearing on behalf of applicant / petitioner submits that FDRs worth Rs. 50 Lakhs each (valid for 2 years) have been verified *vide* order dated 07.10.2024 and 11.12.2024 passed by the learned Joint Registrar of this Hon'ble Court. It is stated that the said FDRs are still in the custody of the Registry of this Court. Details of the said FDRs, as per the order dated 11.12.2024 of the learned Joint Registrar, as well as, the affidavit-cum-surety bond of the applicant/petitioner, are as under:

- (i) Personal security of Rs.50,00,000/- on behalf of the applicant/petitioner *vide* FDR bearing no.42204956687 dated 24.08.2023 issued by State Bank of India, East Patel Nagar Branch, New Delhi.
- (ii) Surety of Rs.50,00,000/- on behalf of the company, IPL *vide* FDR bearing no.42204957477 dated 24.08.2023 issued by State Bank of India, East Patel Nagar Branch, New Delhi.



(iii) A personal Surety of Rs.50,00,000/- on behalf of Shri Rajeev Gupta, *vide* FDR bearing no.50301072131166 dated 25.11.2024 issued by HDFC Bank, Gautam Nagar Branch, New Delhi.

11. Accordingly, requirement for furnishing of FDRs furnished by petitioner and verification of the sureties by Joint Registrar is being dispensed with.

12. Learned counsel appearing on behalf of applicant/petitioner submits that on an earlier occasion when applicant / petitioner had travelled to Jordan, his passport was seized by authorities at Jordan on the ground that there is a 'Blue Notice' issued against him, despite a clarification having been inserted in one of the earlier orders dated 03.07.2023. He urges this Court to issue appropriate directions so that the Blue/Red Notice does not come in the way of petitioner's visits to the aforesaid countries.

13. 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 petitioner to travel to the said countries, to ensure that the visit of the petitioner to the said countries on the dates specified hereinabove, is not obstructed by Blue/Red Notice, if any issued.

14. 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.

15. The application stands disposed of.

16. Copy of this order be given *dasti* under the signatures of the Court Master.

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17. List on 14.02.2025, the date already fixed.

18. Order be uploaded on the website of this Court.

VIKAS MAHAJAN, J

JANUARY 14, 2025/NG