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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, Ms. Parnika Jolly,
Ms. Divyansh Soni, Mr. Tarun Kumar
and Mr. Kunal Arora, Advocates.

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Mr. Ripudaman Bhardwaj, CGSC
with Mr. Kushagra Kumar, Mr.
Abhinav Bhardwaj, Mr. Amit Kumar
Rana and Ms. Manisha, Advocates.
Mr. Atul Guleria, SPP with Mr.
Aryan Rakesh, Advocate for R-2.
Mr. Zoheb Hossain, Mr. Manish Jain,
SP for ED/R-3 with Mr. Vivek
Gurnani, Panel Counsel and Mr.
Kartik Sabharwal, Advocate.

CORAM:

HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

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24.03.2025

**CRL.M.A. 8831/2025 (suspension of look out circular) in W.P.(CRL)
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 12.04.2025 to 17.04.2025, Surabaya, Indonesia from 22.04.2025 to 26.04.2025 and Nice, France from 11.05.2025 to 15.05.2025.



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, JIFCO, and PT Petro Jordan Abadi.

- i. To attend the Board Meeting of Jordan Phosphate Mines Co. [**"JPMC"**] scheduled to be held on 13.04.2025 at the JPMC Office at 11118, Amman, Jordan.
- ii. To attend the General Assembly Meeting of JPMC scheduled to be held on 14.04.2025 at the JPMC Office at 11118, Amman, Jordan.
- iii. To attend the 78th Meeting of Board of Directors of Jordan India Fertilizer Company L.L.C [**"JIFCO"**] scheduled to be held on 15.04.2025 at 11:30 AM at the JIFCO office at 5th Floor, 98 Wasfi Altal Street, Amman, Jordan.
- iv. To attend the 18th Annual General Shareholders meeting of JIFCO scheduled to be held on 15.04.2025 at 01:00 PM at the JIFCO Office at 5th Floor, 98 Wasfi Altal Street, Amman, Jordan.
- v. To attend the 43rd BOC-Board of Directors Meeting at PT Petro Jordan Abadi scheduled to be held on 24.04.2025 at 01:30 PM at the PT Petro Jordan Abadi Office at Surabaya, Indonesia.
- vi. To attend the Shareholders Meeting at PT Petro Jordan Abadi scheduled to be held on 25.04.2025 at 01:30 PM at the PT Petro Jordan Abadi Office at Gresik, Indonesia.
- vii. To attend the International Fertilizer Association Annual Conference [**"IFA"**] on 'Investing in the future of food' scheduled to be held from 12.05.2025 to 14.05.2025 at the Fairmont Hotel, Monte Carlo,



Monaco.

3. Counsel for the applicant/petitioner submits that on 16 previous 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, 10.12.2024 and 14.01.2025. 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 and Surabaya, Indonesia and Nice, France is as follows:-

For travel to **Amman, Jordan and back to Delhi**

Date	From-To	Flight No
12.04.2025	Delhi-Doha 10:20 Hrs to 11:55 Hrs	QR 571
12.04.2025	Doha-Amman 16:00 Hrs-18:55 Hrs	QR 400
16.04.2025	Amman-Doha 14:00 Hrs-16:45 Hrs	QR 403
16.04.2025	Doha-Delhi 19:35 Hrs-01:55 hrs (17.04.2025)	QR 578

On 12.04.2025, 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.



Accordingly, on 16.04.2025, in the event of missing/cancellation of the flight No. QR 578, 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.

For travel to **Indonesia and back to Delhi** is as follows:-

Date	From-To	Flight No.
22.04.2025	Delhi-Singapore 22:55 Hrs-06:10 Hrs	SQ 403
23.04.2025	Singapore-Indonesia 07:50 Hrs-09:05 Hrs	SQ 922
26.04.2025	Indonesia-Singapore 10:10 Hrs-13:30 Hrs	SQ 923
26.04.2025	Singapore-Delhi 16:50 Hrs-20:10 Hrs	SQ 406

In the event of missing/cancellation of any of the above-mentioned flights, the applicant/petitioner will be travelling on the next available flight. However, there is no direct flight from Indonesia to Delhi. Hence, in the event of cancellation of the connecting flight from Indonesia to Singapore, the applicant/petitioner will be taking the flight from Indonesia the next day. While in Indonesia the applicant/petitioner will be staying at the Shangri-La Hotel, Indonesia.



For travel to **Nice, France and back to Delhi** is as follows:-

Date	From-To	Flight No.
11.05.2025	Delhi-Paris 00:50 Hrs-06:55 Hrs	AF 225
11.05.2025	Paris-Nice 10:10 Hrs-11:45 Hrs	AF 7316
14.05.2025	Nice-Doha 15.55 Hrs-22:45 Hrs	QR 56
15.05.2025	Doha-Delhi 02:55 Hrs-08:45 Hrs	QR 570

In the event of missing/cancellation of any of the above-mentioned flights, the applicant/petitioner will be travelling on the next available flight. While in Nice, the applicant/petitioner will be staying at Fairmont Monte Carlo, 12 Avenue des Spelugues, 98000, Monaco, Nice, France.

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

6. Counsels appearing on behalf of 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 countries.

7. To address the apprehension of respondents, counsel for applicant/petitioners invites attention of the Court to Annexures A-3, 5 and 7



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 counsel for 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 from 12.04.2025 to 17.04.2025; Surabaya, Indonesia from 22.04.2025 to 26.04.2025 and Nice, France from 11.05.2025 to 15.05.2025 as per the itinerary mentioned in paragraph 4 hereinabove subject to the following conditions:

- i. 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;
- ii. Petitioner shall not visit any destination other than Amman, Jordan from 12.04.2025 to 17.04.2025; Surabaya, Indonesia from 22.04.2025 to 26.04.2025 and Nice, France from 11.05.2025 to 15.05.2025;
- iii. Petitioner shall take return flights to India as per itinerary mentioned in paragraph 4 above and provide the details of his departure/arrival to the concerned officials of Respondent Nos.2 and in advance;



- iv. 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;
- v. 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;
- vi. 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 paragraph 9 (b) above.

10. Counsel appearing on behalf of the applicant/petitioner submitted that FDRs worth Rs. 50 Lakhs each i.e. the three FDRs has been issued by the State Bank of India bearing A/c nos. 42204956687 dated 24.08.2023 on behalf of the petitioner/applicant, 42204957477 dated 24.08.2023 on behalf of the Company, IPL and 50301072131166 dated 25.11.2024 being the personal surety on behalf of Mr. Rajeev Gupta issued by the HDFC Bank have been verified by the Joint Registrar vide order dated 07.10.2024 and 11.12.2024 passed by the Ld. Registrar of this Hon'ble Court. Said FDRs are still in the custody of the Registry of this Court. Accordingly, requirement for furnishing of FDRs furnished by Petitioner and Verification of the sureties by Joint Registrar is being dispensed with.

11. Counsel appearing on behalf of applicant/petitioner submits that on a previous 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 the 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.

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 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.

13. 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. The application stands disposed of.

15. A copy of this order be given *dasti* under the signatures of the Court Master.

RAVINDER DUDEJA, J

MARCH 24, 2025/vd/ak