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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 2199/2021, CRL.M.A. 9971/2023, CRL.M.A. 16457/2023 & CRL. M.A. 14867/2025**

P.S. GAHLAUTPetitioner
Through: Mr. Alok Kumar and Mr. Kunal Arora, Advocates.
versus

UNION OF INDIA & ORS.Respondents
Through: Mr. Ripu Daman Bhardwaj, CGSC with Mr. Kushagra Kumar, Advocate for UOI.
Mr. Manish Jain, Advocate for ED.
Mr. Atul Guleria, SPP for CBI.

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+ **W.P.(CRL) 2200/2021, CRL.M.A. 9970/2023, CRL.M.A. 18984/2021, CRL. M.A. 16446/2025 & 14866/2025**

DR. U. S. AWASTHIPetitioner
Through: Mr. Sudhir Nandrajog, Sr. Advocate with Mr. Alok Kumar and Mr. Kunal Arora, Advocates.
versus

UNION OF INDIA & ORS.Respondent
Through: Mr. Ripu Daman Bhardwaj, CGSC with Mr. Kushagra Kumar, Advocate for UOI.
Mr. Manish Jain, Advocate for ED.
Mr. Atul Guleria, SPP for CBI.

CORAM:
HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

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29.05.2025

[Physical Hearing/Hybrid Hearing (as per request)]

1. Both these applications involve the same issue, so are taken up



together.

2. I have heard learned Senior Counsel for petitioner/applicant Dr. U.S. Awasthi in W.P. (Crl.) 2200/2021 and learned counsel for petitioner Mr. P.S. Gahlaut in W.P. (Crl.) 2199/2021. I also heard learned SPP for CBI as well as learned counsel for Union of India and learned SPP for DoE.

3. By way of these applications, the petitioners seek temporary suspension of the Look out Circular (LoC)/Red Notices issued by the respondents and to permit the applicant Dr. Awasthi to travel to Amman, Jordan from 11.06.2025 to 16.06.2025; Muscat, Oman from 22.06.2025 to 24.06.2025; and Manchester, UK from 30.06.2025 to 07.07.2025; and to permit the applicant Mr. Gahlaut to travel to Amman, Jordan from 11.06.2025 to 16.06.2025; and in the event of cancellation of flight from any of the destinations visited by the applicants, to permit them to arrive back to Delhi by the next day. The applicants have also sought to dispense with the requirement of verification of sureties and continue to accept the FDRs of Rs. 50,00,000/- each deposited earlier and re-verified by the Joint Registrar vide order dated 09.10.2024 and 11.12.2024.

4. On service of notice, respondents filed short replies opposing the applications.

5. On behalf of applicants, it is submitted that in connection with their occupational exigencies they need to travel to the above mentioned destinations. Those exigencies have been enumerated in the applications and not being repeated here for brevity. It is further submitted on behalf of applicants that earlier also on as many as 23 occasions, they were granted such permission by different predecessor benches. Learned Senior Counsel and learned counsel for applicants have also taken me through the detailed



narrative of the nature of occupation of both the applicants, from the applications.

6. The only objection on behalf of the respondents/non-applicants is that they apprehend that the applicants would flee the country once granted permission. No other objection has been raised.

7. As apprised by learned senior counsel for the applicant Dr. Awasthi, the issue is pending since the year 2007 onwards in the form of various complaints and raids pertaining to the predicate offences. Investigation of the alleged offence under PML Act also is pending since the year 2021. In view of these circumstances, a specific query was raised in response to which learned SPP for CBI stated that presently they do not intend to arrest either of these applicants, as they have been joining investigation as and when directed. The LoC is open since the year 2021. In such circumstances, I find it difficult to persuade myself about the veracity of such an LoC, which keeps hanging like a sword on the head of an individual, who is neither arrested nor allowed complete liberty.

8. Moreover, admittedly and as detailed in the applications, the applicants were earlier also allowed to travel abroad for similar reasons and it is nobody's case that they did not return and had to be arrested. I have also traversed through all those permissions granted by the predecessor benches.

9. Considering the above circumstances, the applications under consideration are allowed and the applicants are permitted to travel to the aforementioned destinations during the periods mentioned above in this order subject to the condition that they shall not visit any destination other than those for which these applications have been filed and they shall adhere to the travel itinerary as detailed in the applications and after return to India,



each of the applicants shall furnish copy of their passports to the concerned officials of respondent no.2 and respondent no.3 and during the entire period of travel, they shall keep their mobile phones switched on and available to be contacted. In addition, each of the applicants have already furnished two sureties in the amount of Rs.50,00,000/- each, which shall be tested by the Joint Registrar concerned of this Court. As regards the fixed deposits of Rs.50,00,000/- deposited by the applicants in this Court earlier, the same shall be retained on record.

10. To the above extent, the LoC is temporarily suspended. In this regard, the respondents shall transmit a copy of this order to the NCB (National Crime Bureau), who shall convey to the concerned Interpol authorities of the above mentioned countries (*allowed to be visited by the applicants*) as regards the permission granted by this Court to the applicants and to ensure that the travel of the applicants to the above mentioned destinations and period is not obstructed by Blue/Red notice, if any issued.

11. List before the Joint Registrar on 30.05.2025.

GIRISH KATHPALIA, J

MAY 29, 2025

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Click here to check corrigendum, if any