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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION (L) NO. 15466 OF 2025

Maniish Mandhana

.....Petitioner

Vs.

Union of India and ors

.....Respondents

Mr. Shadab Jan, Mr. Himanshu V. Pradhan i/b M/s. Crawford Bayley and Co. for the petitioner

Mr. Anil K. Singh i/b Mr. D. P. Singh for respondent nos. 1 and 2

Mr. Kuldeep S. Patil a/w Ms. Saili Dhuru for respondent no. 3 CBI

**CORAM : GAURI GODSE,
SOMASEKHAR SUNDARESAN, JJ.**

DATE : 27th MAY 2025

ORDER:

1. By order dated 9th May 2025, learned Division Bench of this Court was pleased to permit this applicant to travel in terms of a specific itinerary set out in Interim Application (L) No. 14871 of 2025 in Writ Petition No. 4042 of 2024.

2. In the course of travelling, at the airport, the applicant discovered that while the Look Out Circular (LOC) issued at the behest of Bank of Baroda had been suspended by the said order of the

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learned Division Bench, there was another LOC relating to the same case issued at the instance of Central Bureau of Investigation (CBI) which prevented him from travelling. Consequently, this application been filed seeking suspension of the LOC issued at the behest of CBI which admittedly relates to the very same case as initiated by Bank of Baroda.

3. The learned Division Bench of this Court has already applied its mind and also imposed various conditions and compliances in connection with the said travel and considering the right to travel abroad is recognized as fundamental right under Article 21 of the Constitution of India.

4. Learned counsel on behalf of CBI raises an objection that a detailed itinerary is not set out in the application and that the travel as originally proposed has been rendered infructuous since the applicant is still in India. Since the inability to travel occurred only because of the LOC issued by the CBI, we are not inclined to accept this objection. Moreover, the detailed itinerary along with places of stay at each segment of the travel forms part of an affidavit-cum-undertaking dated 12th May 2025 which is also tendered across the bar by the learned counsel for the applicant.

5. In these circumstances, on the very same terms as set out by the learned Division Bench in its order dated 9th May 2025, the LOC issued at the request of CBI is also suspended. The affidavit-cum-undertaking referred to in the said order shall also be served upon the CBI within the same timelines as stipulated in the order dated 9th May 2025.

6. Consequently, the LOC issued at the instance of CBI against the Petitioner is also suspended on the same terms as set out in the order dated 9th May 2025. It is clarified that this order does not apply to any other Look Out Circular and/or restraint order, if any, issued by any other Authority/Agency/Court/Bank.

7. The immigration authorities at all ports of departure, including all airports, will permit the Petitioner passage and permit the Petitioner to take his flights out of the country irrespective of whether CBI have notified them or not and irrespective of whether this suspension is noted in the immigration authorities' systems or otherwise.

8. The immigration authorities will not insist upon a certified copy of this order but will act on presentation of an authenticated or digitally signed copy of this order.

9. The Writ Petition shall come up before the Regular Bench on June 30, 2025.

[SOMASEKHAR SUNDARESAN, J.]

[GAURI GODSE, J.]