



\$~54

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

CNR No. DLHC010337632026

+ **W.P.(CRL) 2245/2026 and CRL.M.A. 22451/2026, CRL.M.A. 25400/2026**

RISHABH BAISOYA (THROUGH PAIROKAR/MOTHER SMT SHIMLA BAISOYA)

.....Petitioner

Through: Mr. Aditya Dhawan, Ms. Kiran Dhawan, Mr. Saurabh Duggal, Mr. Tushar Bukkle, Mr. Aditya Gupta, Mr. Anirudh Negi and Mr. S. M. Adnan Hussain, Advocates.

versus

UNION OF INDIA & ORS.

.....Respondent

Through: Ms. Radhika Bishwajit Dubey, CGSC with Mr. Naveen Dedha, GP, Ms. Gurleen Kaur Waraich, Mr. Kritarth Upadhyay, Mr. Vivek Sharma, Mr. Amulya Dev Mishra and Mr. Saksham Sharma, Advocates for R-1 and 2.

Mr. Akhand Pratap Singh, APP with Ms. Liza Pegwal, Advocate with SI Dinesh Kumar on behalf of Insp. Nishant Dahiya for State.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV

ORDER

%

19.08.2026



1. The present writ petition has been filed seeking appropriate writ(s), order(s) or direction(s), *inter alia*, for suspension/ cancellation/ quashing of the Red Corner Interpol Notice (**RCN**) bearing No. A-14431/10-2025 issued against the petitioner, along with all consequential proceedings initiated pursuant thereto, and for recall of the show-cause notice dated 20.07.2026, quashing/recall/suspension of the Non-Bailable Warrants issued *vide* order dated 07.01.2025, and cancellation or suspension of the order dated 19.05.2025, all arising out of and in connection with FIR No. 455/2024 for offences under Sections 8, 20, 21, 25 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (**NDPS Act**) registered at PS Special Cell, Delhi.

2. The brief case of the petitioner is that he has been falsely implicated in the present FIR, and seeks suspension/cancellation of the RCN issued against him to enable him to return to India, surrender before the Ld. Trial Court and join the investigation. The petitioner contends that there is no independent or cogent material connecting him with the alleged offence. It is pertinent to note that, on 05.08.2026, the petitioner made a submission before this Court that he was inclined to enter India, subject to permission being granted by the respondent authorities, and surrender himself before the Investigating Agency, pursuant to which this Court sought the response of the respondent authorities.

3. Mr. Akhand Pratap Singh, learned counsel for respondent State, on instructions, opposes the aforesaid request and, according to him, the LOC/RCN cannot be selectively suspended only for the purpose of enabling the petitioner to enter India. According to him, if the RCN is suspended, the international alert against the petitioner would stand withdrawn and he may



possibly travel to any other jurisdiction. It is further submitted that, as per the reply dated 16.07.2026 received from the Central Bureau of Investigation (CBI), the coordinating agency between India and INTERPOL, temporary suspension of the RCN, as well as the proposed direct surrender before the Indian Consulate at Dubai, has not been recommended, and the petitioner, if genuinely willing to return to India, should avail the legally recognised mechanism under the applicable law.

4. The aforesaid submission can be duly taken care of by directing the petitioner to abide by his statement, failing which he shall face the legal consequences.

5. Learned counsel for the petitioner reiterates that the petitioner intends to cooperate with the Investigating Agency and, if permitted to enter India, shall not leave the country without the permission of the Court. He further submits that the petitioner shall share his complete itinerary for entering India with the Investigating Agency in advance. The Investigating Agency shall, therefore, be at liberty to apprehend him upon his arrival in India.

6. I have heard the learned counsels appearing for parties and perused the record.

7. The facts of the case would indicate that the petitioner is an Indian citizen holding an Indian passport and is presently residing in London, United Kingdom, where he had been pursuing his LL.B. (Hons.) from the University of West London since 2022. The petitioner had come to India during his vacations between June and September 2024 and thereafter returned to London to continue his studies.

8. The petitioner is an accused in FIR No. 455/2024 registered at PS Special Cell, Delhi, arising out of the recovery of a huge quantity of cocaine/



mephedrone and marijuana and the alleged involvement of an international drug cartel. The prosecution alleges that the petitioner is connected with the said conspiracy and had handed over a vehicle to a co-accused, from which cocaine was subsequently recovered.

9. During the course of investigation, as the petitioner did not join the investigation and remained abroad, the Investigating Agency initiated coercive proceedings against him. Consequently, the learned Trial Court issued non-bailable warrants against the petitioner *vide* order dated 07.01.2025 and, subsequently, declared him a proclaimed offender *vide* order dated 19.05.2025

10. Thereafter, on the request of the Investigating Agency and through the concerned INTERPOL authorities, a RCN bearing No. A-14431/10-2025 was issued against the petitioner, which was published/ reported in November 2025.

11. The Court is conscious that an RCN, by its nature, is a serious measure of international police cooperation. Its purpose is to secure the location of a wanted person and facilitate his detention, arrest or restriction of movement for the purpose of extradition, surrender or similar lawful action. In the present case, however, the petitioner has approached this Court expressing his willingness to return to India and submit himself to the jurisdiction of the Investigating Agency and the concerned Court.

12. The apprehension expressed by the respondent State that any relaxation may enable the petitioner to travel to another jurisdiction cannot be brushed aside. However, the said concern can be adequately addressed by requiring the petitioner to furnish his complete itinerary to the concerned Authority in advance and by ensuring that the Investigating Agency is duly



appraised of his proposed travel and arrival. Such an arrangement would adequately safeguard the interest of the respondent State without granting the petitioner any immunity from the process of law.

13. In these circumstances, and without expressing any opinion on the merits of the allegations against the petitioner or the legality of the proceedings impugned in the present petition, the Court considers it appropriate to make a suitable arrangement to facilitate the petitioner's return to India, subject to the safeguards indicated hereinafter.

14. Bearing in mind the aforesaid, the Court deems it appropriate to direct that the RCN and Look Out Circular (**LOC**) *qua* the petitioner shall remain suspended only to the limited extent necessary to enable him to travel to and enter India. The said suspension shall not be construed as affecting the RCN or LOC for any other purpose.

15. The petitioner shall furnish his complete itinerary, including the details of his proposed travel and arrival in India, to the concerned Authority within seven days from today.

16. Upon the petitioner furnishing the aforesaid information, the Delhi Police shall issue appropriate instructions to the concerned authorities for giving effect to the limited suspension of the RCN and LOC for the aforesaid purpose. The petitioner shall be specifically intimated accordingly.

17. It is clarified that the Investigating Agency/Delhi Police shall remain at liberty to interrogate or apprehend the petitioner, in accordance with law, upon his arrival in India.

18. It is made clear that the petitioner shall strictly abide by the undertaking given before this Court. In the event of any breach of the said undertaking or failure to act in accordance with the itinerary furnished by



him for entering India, the limited arrangement directed, herein, shall stand vacated without any further reference to this Court, and the respondents shall be at liberty to take appropriate steps, in accordance with law, to secure the presence of the petitioner.

19. In view of the aforesaid, the petition, along with pending applications, stands disposed of.

PURUSHAINDRA KUMAR KAURAV, J

AUGUST 19, 2026

aks/SA