

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****INTERIM APPLICATION NO. 4445 OF 2023****IN****CRIMINAL WRIT PETITION NO. 3694 OF 2023**

Chandra Prakash Khandelwal

.. Applicant
(Org. Petitioner)

Versus

Assistant Director, Serious Fraud
Investigation Office & Ors.

.. Respondents

Mr. Pranav Badheka, a/w. Nitesh Jain, Hridhay Khurana, Adrish Mujumder
and Sanjana Mehta i/b. Trilegal, for the Applicant/Petitioner.Mr. Rahul Tiwari a/w. Divya Gontia and Akansha P. Mishra, for Respondent
No.1-SFIO.

Mr. V. B. Konde-Deshmukh, APP for the Respondent-State.

**CORAM: A. S. GADKARI AND
SHYAM C. CHANDAK, JJ.****DATE : 7th DECEMBER, 2023.****P.C.: PER:- SHYAM C. CHANDAK,.**

1) The present Application is filed seeking an interim permission to travel to Dubai from 12th December, 2023 to 21st December, 2023, for business purpose.

2) Heard Mr. Badheka, learned Counsel for the Applicant and Mr. Konde-Deshmukh, learned APP for the Respondent-State.

3) Learned Counsel for the Applicant submitted that, on 18th October, 2023 the Applicant learnt that LOC has been issued against him thereby restraining him from travelling to Dubai from Mumbai. The said LOC was issued in relation to one investigation pertaining to Ketan Parekh Group of Companies. The said offence occurred in the year of 2006, but it was registered in the year of 2017. Thereafter, the Applicant has attended the office of Respondent No.1 on 2nd February, 2017, 20th February, 2017, 16th March, 2020 and 17th June, 2021 and made his submissions to Respondent No.1. Ever since June 2021, Respondent No.1 even not summoned the Applicant single time. As such, there is no reasonable reason for curtailing the Applicant's freedom to travel abroad. In relation to ECIR/03/DLZO/2016, on 4th November, 2023, the Special Prevention of Money Laundering Act Court, Delhi permitted the Applicant to travel to Dubai from 23rd November, 2023 to 30th November, 2023. This indicates that the Applicant is not a flight-risk. Therefore, the Applicant may be permitted to travel abroad.

4) Learned Counsel for Respondent No.1-SFIO fairly submitted that, the investigation in the said offence is completed in the year 2022 and report has been submitted for permission from the Competent Authority.

5) In view thereof, we permit the Applicant to travel abroad i.e. to Dubai from 12th December, 2023 to 21st December, 2023, for his business

purpose, on the following terms and conditions:

- (i) During the said period of travel to Dubai from 12th December, 2023 to 21st December, 2023, the LOC issued at the instance of the Respondent No.1-SFIO shall stand suspended;
- (ii) The Applicant, before his departure as above, shall file an affidavit-cum-undertaking with the Registrar (Judicial-I), Appellate Side of this Court, setting out the full itinerary of his overseas travel with all details, including the address where he would stay, telephone/mobile/contact numbers, on which he can be contacted during the said period;
- (iii) A copy of the said affidavit-cum-undertaking shall also be furnished to the SFIO, before the Applicant's departure.
- (iv) The Applicant, before his departure as above, shall deposit the passport of his wife with the office of SFIO;
- (v) The Applicant, before his departure, shall also submit copies of his tickets for the onward and return journeys, to the SFIO as well as before the Registrar (Judicial-I), Appellate Side, of this Court and also inform the SFIO of his return back to India within 48 hours of his return;
- (vi) The Immigration Authorities on all points of departure, will

permit the Applicant to pass through immigration and to board his flight or flights, irrespective of whether the immigration system has been updated and whether the SFIO has informed the Immigration Authorities or not;

(vii) Learned Advocate for Respondent Nos.1 to communicate this order to the Immigration Authorities forthwith and in any event within 24 hours of this order being uploaded;

(viii) The Applicant shall not apply for renewal or extension of this Order until he returns to this Court.

6) Interim Application is allowed in the aforesaid terms.

7) Stand over to 22nd December, 2023 for recording compliance of the aforesaid order and return of the passport of the Applicant's wife.

8) All concerned to act on the authenticated copy of this order.

(SHYAM C. CHANDAK, J.)

(A. S. GADKARI, J.)