

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION***

***INTERIM APPLICATION NO. 423 OF 2024
IN
WRIT PETITION NO. 3694 OF 2023***

Chandra Prakash Khandelwal ... Applicant

Versus

Assistant Director, Serious Fraud
Investigation Office and Ors. ...Respondents

Mr. Hridhay Khurana a/w Ms Sanjana Mehta i/b Trilegal for the
Applicant.

Ms Divya Gontia h/f Mr. Rahul Tiwari i/b Mr. Pradeep Yadav for
Respondent No. 1- SFIO

Ms P. P. Shinde, A.P.P for the Respondent – State.

***CORAM : REVATI MOHITE DERE &
MANJUSHA DESHPANDE, JJ.***

DATE : 1st FEBRUARY 2024

P.C. :

1. Heard learned Counsel for the parties.
2. By this interim application, the applicant seeks permission to travel from India to Dubai, U.A.E., from 7th February 2024 to 20th February 2024. Accordingly, suspension of Look Out Circular (LOC)

is sought during the said period.

3. Perused the application. It appears that LOC has been issued as against the applicant, by which, he has been restrained from traveling overseas. The offence which is being investigated pertains to the period 2006, and the offence in question was registered in the year 2017. The applicant has attended the office of the respondent No. 1 on several dates, and after June 2021, has not been summoned. This Court, on two early occasions i.e. vide orders dated 7th December 2023 and 10th January 2024, permitted the applicant to travel overseas, as prayed therein, and as sought by the applicant on certain terms and conditions stipulated in the said orders. It is not in dispute that the applicant has complied with the said terms and conditions. Accordingly, the application is allowed on the following terms and conditions:

- (i) The applicant is permitted to travel to Dubai, U.A.E. from 7th February 2024 to 20th February 2024. During the said period of travel, the LOC issued at the instance of the respondent No. 1-SFIO shall stand suspended;

- (ii) The applicant, before his departure, 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, shall deposit his wife's passport with the office of the SFIO;
- (v) The applicant shall, on his return to India, within 48 hours, shall inform the SFIO of his return. On his return, the SFIO to hand over the wife's passport to the applicant;
- (vi) The respondent No. 1 shall inform the Immigration Authorities of the order passed today, so as to enable the applicant to travel abroad, as permitted;

(vii) 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;

(viii) The applicant shall not apply for extension of this order, until he returns to India;

(ix) Learned advocate for respondent No. 1 to communicate this order to the Immigration Authorities forthwith and in any event within 24 hours of this order being uploaded.

4. Interim Application is allowed in the aforesaid terms and is disposed of.

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

MANJUSHA DESHPANDE, J.

REVATI MOHITE DERE, J.