

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 2261 OF 2025
IN

CRIMINAL WRIT PETITION NO. 3382 OF 2023

Vivek Kudva

...Applicant

Digitally signed
by SUNNY
ANKUSHRAO
THOTE
Date:
2025.07.16
19:14:46 +0530

IN THE MATTER BETWEEN

Vivek Kudva

...Petitioner

Versus

Union of India Through Director & Ors.

...Respondents

Mr. Pranav Badheka, Senior Advocate a/w Ms. Ankita Singhania,
Mr. Sayeed Mulani i/by Mulani & Co., Advocate for the
Applicant/Ori. Petitioner.

Mr. Dashrath Dube a/w Mr. Rupesh Dubey, Advocate for
Respondent No.1/UOI.

Mr. Piyush Pande h/f Ms. Neha Bhide, Spl. P.P., for Respondent/ED.

Mr. J.P. Yagnik, Addl. P.P. for the Respondent/State.

CORAM : RAVINDRA V. GHUGE

&

GAUTAM A. ANKHAD, JJ.

DATE : 16th JULY, 2025

P.C. :-

1. By this Interim Application, the Applicant has put forth
Prayer Clause (a), as under :-

“(a) This Hon’ble Court may be pleased to permit the Applicant/Petitioner to travel outside India from 21.06.2025 till 20.06.2026 for a period of at least 12 (twelve) months (or from such date and/or for such period as may be permitted by this Hon’ble Court), and during such period suspend and/ or stay the impugned lookout circular/ notice or any other document/ instruction/ communication imposing travel restrictions on the Applicant, as issued by the Respondent Nos.1-3, and that such orders be promptly notified to be adhered by the Respondent No.4.”

2. The Applicant has placed a tentative copy of his itinerary on record. The same is marked as ‘X’ for identification.

3. It is canvassed that the Applicant has travelled outside India to different countries. The ready reference chart is below Paragraph No.25 in the Interim Application. His overseas travels, pursuant to the orders of this Court, are evident from the chart, which indicates his visit to the USA on 15th October, 2023, until 1st November, 2023. Other visits to the countries under the orders of this Court have been mentioned in the same chart. It has been on not less than seven occasions that he has travelled abroad with the permission of this Court.

4. The learned Advocate, Mr. Pande holding for the

learned Special Public Prosecutor, Ms. Bhide for the Respondent/Directorate of Enforcement (E.D.), neither disputes the aforesaid submissions, nor does the E.D. desire to oppose the request of the Applicant to travel abroad by suspending the Look Out Circular (LOC).

5. The learned Advocate for the Applicant has informed us that since the Applicant has multiple travel programs from 15th July, 2025 onwards until 15th December, 2025, an order be passed in a manner, which would not require the Applicant to come to this Court frequently for seeking permission to travel. Reference is made to the tentative dates of travel set out in the documents 'X'.

6. The learned Advocate, Mr. Pande holding for the learned Special Public Prosecutor, Ms. Bhide, submits on instructions that the Applicant may be granted permission to travel as per the itinerary 'X' placed on record, until 17th December, 2025.

7. In view of the above, this **Interim Application is allowed** with the following directions :-

(a) The Applicant – Vivek Kudva, is permitted to travel overseas during the period from 15th July, 2025 until 15th December, 2025, in terms of the proposed/tentative itinerary. The dates are likely to fluctuate with reference to the travel programs. However, it is assured that whenever the travel programs as per the said itinerary in relation to the places of visit are finalized, the Applicant would follow the directions set out hereinabove by intimating the Directorate of Enforcement about the exact itinerary on each journey overseas.

(b) Every time, the Applicant travels overseas, the Applicant, before his departure, shall furnish 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, to the Respondent/E.D., via e-mail/fax or any other electronic mode;

(c) The Applicant shall, on his return to India, after each of the travels, and shall inform the E.D. of his return within 48 hours;

(d) The Respondent No.2/Joint Directorate of Enforcement, Mumbai Head Office, shall inform the Respondent

No.4/Bureau of Immigration, Ministry of Home Affairs, of the order passed today, forthwith and in any event within 48 hours of this order being uploaded;

(e) The Immigration Authorities, at all points of departure, shall 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 Respondent No.2 has informed the immigration Authorities or not;

(f) The Applicant shall attend the office of the E.D., as and when called, with prior notice of atleast two weeks.

(GAUTAM A. ANKHAD, J.)

(RAVINDRA V. GHUGE, J.)