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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 257/2020, CM APPL. 22413/2025**

UMESH SHAHRA

.....Petitioner

Through: Mr. Rachit Bansal and Mr. Ketan Kr.
Roy, Advocates.

versus

UNION OF INDIA AND ORS.

.....Respondents

Through: Mr. Avshreya Pratap Singh Rudy, Sr.
Panel Counsel with Ms. Usha Jamnal
and Ms. Harshita Chaturvedi,
Advocates for R-1, 2, 8 and 9.
Mr. Ripudaman Bhardwaj, SPP with
Mr. Kushagra Kumar, Mr. Abhinav
Bhardwaj and Mr. Amit Kumar Rana,
Advocates for R-7/CBI.
Ms. Praveena Gautam, Mr. Pawan
Shukla, Ms. Tissy Annie Thomas and
Mr. Rohan Bansla, Advocates for R-
6.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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27.05.2025

CM APPL. 22413/2025, W.P.(C) 257/2020

1. The Petitioner has filed the present application seeking permission to travel to New York, USA from 01.06.2025 to 30.06.2025 to meet his daughter. Though only this application is listed today, however, with the consent of the parties, petition itself is taken up for hearing.
2. By way of present writ petition filed under Article 226 of the Constitution of India, the petitioner seeks setting aside of the O.M. No.



25016/10/2017-Imm (Pt.) dated 12.10.2018, issued by the Director (Immigration) whereby the Office Memorandum dated 27.10.2010 was further amended to include a policy for issuance of Look-Out-Circular at the request of Public Sector Banks, as well as the Look-out-Circulars issued by the respondents.

3. Learned counsel for the petitioner submits that insofar as prayer (A) with regard to quashing of impugned OM dated 12.10.2018 is concerned, the same already stands quashed by the Division Bench of the High Court at Judicature at Bombay in the case titled, *Viraj Chetan Shah v. UOI & Anr.* vide order dated 23.04.2024 passed in W.P. (C) 719/2020. It is further submitted that the petitioner is confining the prayer in petition to the LOC opened on 18.06.2021 at the behest of CBI in RC2222021A0003/CBI/AC-IV/BPL/1622. Insofar as the prayer in the accompanying application seeking permission to travel abroad is concerned, the petitioner contends that a similar prayer to travel abroad has been previously allowed by the Co-ordinate Benches of this Court vide orders dated 19.06.2024 and 22.01.2025.

3. At this stage, Mr. Ripudaman Bhardwaj, Learned SPP for CBI/respondent No.7 has raised a preliminary objection with respect to the maintainability of the present petition and submits that the cause of action has arisen before the High Court of Madhya Pradesh. In this regard, it is further submitted that the CBI has investigated three criminal cases against the petitioner and chargesheet stands filed before the concerned Trial court at Indore, Madhya Pradesh. The details of cases are as follows :-

Sl. No.	Case No.	Status
1.	RC 0082021A0003 Dated 08.02.2021 at P.S. ACB Bhopal registered under Sections 120B/420 IPC	Investigation pending



	r/w Sections 13(1)(d)/13(2) of P.C. Act	
2.	RC 2222021A0003 Dated 14.06.2021 registered at P.S. ACB Bhopal under Sections 13(2) r/w Sections 13(1)(d) of P.C. Act	Charge-sheet filed
3.	RC 2222023A0001 Dated 28.03.2023 registered at P.S. ACB Bhopal under Sections 120B IPC r/w Section 13(2) r/w Section 13(1)(d) of P.C. Act	Investigation pending

Lastly, it is submitted that the LOC has been periodically reviewed and till date it is in existence.

6. At this stage, learned counsel for respondent No.6 submits that a separate LOC has been opened at the request of the Bank.

7. Pertinently, it is an admitted case that the trial in the present matter is pending before the Court at Indore. It is further the case of the respondent No.7/CBI that charge-sheet has already been filed on 02.02.2023 in RC 2222021A0003. In this backdrop, I find strength in the submissions of the respondent No.7/CBI that it is the concerned court at Indore would be in the best position to consider the petitioner's prayer to travel aboard.

8. In view of the above, the present petition is disposed of with liberty to the petitioner to seek the reliefs sought before the concerned court. 9. Date already fixed i.e. 24.07.2025, stands cancelled.

MANOJ KUMAR OHRI, J

MAY 27, 2025

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