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* **IN THE HIGH COURT OF AT NEW DELHI**
+ **CRL.M.C. 8253/2025 & CRL.M.A. 34424/2025**
AMIT MAKKERPetitioner

Through: Mr. Trideep Pais, Senior Advocate
with Mr. Narender Mann, Mr.
Vaibhav Tomar and Mr. Prabhjot
Singh Dhillon, Advocates.

versus

DIRECTORATE OF ENFORCEMENTRespondent
Through: Mr. Annirudh Sharma, Mr. Ankit
Swami, Ms. A. Tyagi and Mr. Pawan
G., Advocates.

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER
20.11.2025

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1. This petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023¹ read with Article 226 of the Constitution of India, 1950 seeks the following prayers:

“A. Allow the present Petition and modify the condition no. (1) of the Order dated 22.05.2025 passed by the Ld. ASJ-04, Patiala House Courts, New Delhi in Ct. Case No. 01/2025 arising out of ECIR/DLZO-I/39/2023 in the matter titled “Directorate of Enforcement v. M/s Salt Experience & Management Pvt. Ltd. & Ors.” to the extent that the Petitioner be allowed to intimate the Trial Court about his travel abroad instead of seeking permission whilst travelling abroad. And/or
B. In the interim, the Petitioner also prays to Set aside the Order dated 13.11.2025 passed by the Court of Ld. ASJ-04, Patiala House Courts, New Delhi in Ct. Case No. 01/2025 while permitting the Petitioner to travel abroad as per the details mentioned in Ground L of the present Petition. And/or

¹ “BNSS”



C. Pass any other order(s) as this Hon'ble Court deems fit and proper under the facts and circumstances of the present case."

2. The Petitioner is an accused in a Complaint Case No. 01/2025 arising out of ECIR/DLZO-I/39/2023 titled as "***Directorate of Enforcement v. M/s Salt Experience & Management Pvt. Ltd. & Ors.***". In the said proceedings, the Petitioner on two previous occasions, has been permitted to travel abroad under the Court's directions subject to certain conditions. This time, the Petitioner's request has been declined by the impugned order dated 13th November, 2025 with the following reasons:

"On perusal of order dated 01.07.2025, the applicant sought permission to travel abroad to visit his relatives and on 02.09.2025, the reasons were to attend business meetings. But, this time, in the present application, the applicant want to travel to Spain as a trade visitor and to Tanzania for a site visit and no cogent reason / necessary reason were disclosed by the applicant for the present trips. The trips are more seem to be in the nature of leisure than a necessary work or unavoidable trips. Granting permission to travel abroad to the applicant who is accused in serious cases of money laundering will put the investigation agency on unnecessary vigilance and this type of leisure trip practice has to be curtailed for the alleged offenders.

Accordingly, looking to the aforesaid facts and circumstances and gravity of the offence as well as flight risk, the present application is hereby disposed off as dismissed.

Application is disposed off accordingly.

Order dasti."

3. Mr. Trideep Pais, Senior Counsel for the Petitioner, submits that the Petitioner's travel is necessitated by business commitments, as he is engaged in the travel industry. Having complied with all earlier travel conditions and returned on time, the apprehension of flight risk, he argues, stands substantially mitigated.

4. Mr. Annirudh Sharma, counsel for the Respondent, opposes the petition, and argues that the Petitioner faces serious allegations under the



money laundering regime, and foreign travel cannot be permitted as a matter of course. In the absence of a concrete itinerary, the apprehension of flight risk persists. It is also submitted that the matter is listed before the Trial Court on 1st December, 2025, and the Petitioner's absence may delay the proceedings.

5. The Court has considered the submissions. The complaint was filed a year ago, and the matter remains at the pre-cognizance stage under the proviso to Section 223 of BNSS. The Petitioner has twice been permitted to travel abroad and has duly complied with all conditions, including timely return. In these circumstances, the denial of permission for a third request, without cogent justification, does not appear warranted. Concerns regarding absence of itinerary can be addressed by appropriate safeguards requiring advance disclosure of the Petitioner's travel plans.

6. Accordingly, the petition is allowed to the extent of Prayer B, and the Petitioner is permitted to travel abroad from 24th November, 2025 until 1st December, 2025, subject to the following conditions:

- (a) Petitioner shall also deposit, by way of a security, an FDR amounting to INR 3 lakhs with the Registrar General of this Court, which shall be kept on an auto-renewal mode.
- (b) An undertaking shall be filed before the Registrar General that he shall return to the country by 1st December, 2025 and he shall intimate the Registrar General of his return from abroad.
- (c) A detailed affidavit shall be filed disclosing the complete travel itinerary, including stay details, contact numbers, and residential/hotel addresses, along with an undertaking to adhere strictly to the said itinerary without visiting any other destination. A copy of the air tickets shall also be



furnished to the Registrar General.

(d) Contact numbers on which he can be reached during his travel shall be provided, and at least one number shall remain operational at all times, subject to all fair exceptions, including the period he is on board the aircraft.

(e) Upon return to India, a self-attested copy of his passport along with the relevant visa pages shall be placed on record.

(f) The Petitioner shall appear before the Trial Court on the next date fixed, without fail.

7. The permission to travel abroad given in this order shall be subject to all other applicable conditions and shall not be deemed as a direction to any other authority. In case any of the aforementioned conditions are violated, the security shall be forfeited.

8. As regards Prayer A, Senior Counsel seeks leave to withdraw the same, with liberty to approach the Trial Court. Prayer A is accordingly dismissed as withdrawn.

9. The petition, along with pending application, stands disposed of in the above terms.

SANJEEV NARULA, J

NOVEMBER 20, 2025

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