HC-KAR

NC: 2026:KHC:60018
WP No. 22061 of 2024

CNR: KAHC010468432024

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 28TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE T.P.VIVEKANANDA

WRIT PETITION NO. 22061 OF 2024 (GM-RES)

BETWEEN:

MR ATIKUKKE HARISHA BHAT
S/O LATE A CHANDRA BHAT
AGED ABOUT 70 YEARS,
RESIDING AT NO.28,
4TH MAIN, SHANKARANAGAR
MAHALAKSHMI LAYOUT
BENGALURU - 560 096

...PETITIONER

(BY SRI. VINAYAK G. GOWDA, ADVCOATE
SRI. AJITH A. SHETTY, ADVOCATE)

AND:

Digitally signed by PREMCHANDRA M R
Location: HIGH COURT OF KARNATAKA

1. UNION OF INDIA
BY THE MINISTRY OF HOME AFFAIRS
BUREAU OF IMMIGRATION
674 VGV NORTH BLOCK
CENTRAL SECRETARIAT,
NEW DELHI, DELHI - 110 001
BY ITS SECRETARY

2. CENTRAL BUREAU OF INVESTIGATION
6TH FLOOR, LODHI ROAD,
PLOT NO.5-B,
JAWAHARLAL NEHRU

STADIUM MARG CGO COMPLEX
NEW DELHI DELHI-110003
BY ITS DIRECTOR

3. CENTRAL BUREAU OF INVESTIGATION
CBI ACB, OFFICE OF HEAD OF BRANCH
36, BELLARY ROAD,
KGH LAYOUT,
GANGANAGAR, BENGALURU
KARNATAKA - 560 032
BY ITS HEAD OF BRANCH

…RESPONDENTS

(BY SRI. AJAY KUMAR M., CENTRAL GOVERNMENT
SENIOR PANEL COUNSEL FOR R1
SRI. P. PRASANNA KUMAR, ADVOCATE FOR R2 AND R3)

THIS W.P. IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECT THE RESPONDENT AUTHORITIES TO PERMIT THE PETITIONER TO TRAVEL OVERSEAS, FOR THE NEXT TWO YEARS, ENDING ON THE 31ST DAY OF DECEMBER 2025 NOT WITH STANDING THE EXISTENCE OF ANY LOOK OUT CIRCULAR THAT IS SAID TO HAVE BEEN ISSUED BY THE SAID AUTHORITIES.

THIS PETITION, COMING ON FOR ORDERS, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE T.P.VIVEKANANDA

ORAL ORDER

Learned counsel for the petitioner submits that initially, the writ petition was filed seeking a writ of mandamus, directing the respondent-Authorities to permit the petitioner to travel overseas for a period of two years.

2. Notwithstanding the existence of the Look-Out Circular issued against the petitioner, this Court, by interim order dated 24.04.2025, permitted the petitioner to travel abroad and also issued directions to the respondent-Authorities to permit the petitioner to pass through Immigration.

3. It is the submission of learned counsel for the petitioner that, in terms of the interim order granted, the petitioner has travelled abroad. By looking into the nature of the relief sought and the interim order passed, the main prayer sought in the writ petition does not survive for consideration.

4. At this stage, the petitioner has filed an application seeking amendment of the writ petition to challenge the very issuance of the Look-Out Circular. If the said amendment is permitted, it would amount to giving a life to the writ petition which has become infructuous. The cause of action originally pleaded and the cause of action for challenging the Look-Out Circular are different. Therefore, instead of permitting the petitioner to amend the writ petition, this Court deems it appropriate to permit the petitioner to withdraw the present writ petition along with the application for amendment, with liberty to file a fresh writ petition, if so advised.

5. Accordingly, the writ petition is ***disposed of.***

6. It is open for the petitioner to file a fresh petition on the basis of the subsequent cause of action.

7. In view of the disposal of the main petition, I.A. Nos.1/2025 and 1/2026 do not survive for consideration

Sd/-
(T.P.VIVEKANANDA)
JUDGE

SMC
List No.: 1 Sl No.: 17