2026:DHC:3806

$~7, 8, 10, 13, 15, 17, 18, 91, 92, 93, 25, 27, 29, 31, 95, 32, 33, 34, 35, 37, 38, 39, 44, 48, 49, 53, 56, 59, 61, 71, 72, 85 and 89

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

Date of Decision: **17.04.2026**

IN THE MATTERS OF:

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\+ **W.P.(C) 17646/2022 and CM APPL. 5538/2023, CM APPL. 36789/2023**

RITU SINGAL .....Petitioner

versus

BUREAU OF IMMIGRATION& ORS. ...Respondents

with

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\+ **W.P.(C) 17647/2022**

NEERAJ SINGAL .....Petitioner

versus

BUREAU OF IMMIGRATION& ORS. .....Respondents

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\+ **W.P.(C) 1755/2023 and CM APPL. 6711/2023, CM APPL. 44687/2023, CM APPL. 44688/2023**

KUNWER SACHDEV .....Petitioner

versus

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UNION OFINDIAAND ORS. .....Respondents

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\+ **W.P.(C) 7348/2023 and CM APPL. 28547/2023, CM APPL. 65247/2023**

ARUPJYOTI RAI BARUAH .....Petitioner

versus

BUREAU OF IMMIGRATION,
THROUGH COMMISSIONER
(IMMIGRATION) & ORS. .....Respondents

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\+ **W.P.(C) 7484/2023 and CM APPL. 37361/2023, CM APPL. 12331/2025, CM APPL. 28333/2025, CM APPL. 34618/2025, CM APPL. 44241/2025**

RAGHU RAMA KRISHNA RAJU .....Petitioner

versus

UNION OF INDIA& ORS. .....Respondents

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SHIVANI PRIYAM& ANR. .....Petitioners

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UNION OF INDIA& ANR. .....Respondents

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\+ **W.P.(C) 7503/2024and CM APPL. 31297/2024**

SENTHIL NACHIAPPAN .....Petitioner

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\+ **W.P.(C) 8252/2024 and CM APPL. 33976/2024**

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versus

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\+ **W.P.(C) 5126/2026 and CM APPL. 25103/2026**

RATUL PURI .....Petitioner

versus

UNION OF INDIA& ORS. .....Respondents

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Mr. Rajesh Kumar, SPP CBI in in W.P.(C) 7348/2023.
Mr.PiyushBeriwal and Mr. Sanjay Lamba, Advocates for UOI in W.P.(C) 16550/2023.
Mr. Samarendra Kumar, Mr. Vishnu Jaysaval, Ms. Priyanka Singh, Mr. Adarsh Raj Singh, Mr. Sumit Chanchal, Mr. Madhurendra Kumar, Ms. Juhi Rani, Ms Saumya, Mr. Nitin & Ms. Nisha Advocates for Respondent/ Bank in W.P.(C) 16550/2023.
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Dr. Ravinder Kumar Anand, Advocate for impleader in WP(C) - 10895/2023.

CORAM:
HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV

JUDGEMENT

PURUSHAINDRA KUMAR KAURAV, J. (ORAL)

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A. INTRODUCTION AND BACKGROUND

1. This batch of petitions has been filed under Article 226 of the Constitution of India, all converging upon a single, pressing legal question, namely, whether the issuance and continuation of Look Out Circulars (hereinafter "**LOCs**"), a coercive executive measure directly imperilling the constitutionally guaranteed right to travel, is legally sustainable in the circumstances evinced in each of these petitions. While the individual facts of each petition present their own discrete matrix, the overarching legal issues are common, and it is, therefore, appropriate to take up these petitions together for a comprehensive adjudication by this common judgment.

2. The present order disposes of 33 writ petitions concerning the validity, or the lack thereof, of the LOCs issued at the behest of financial institutions, investigative agencies, and govt. departments/authorities. The oldest petition in the present batch, namely, W.P.(C) 17646/2022 was instituted on 15.12.2022, and is getting disposed of, *vide* the present order, after a period of approximately 3.5 years. The Court in the said petition has passed 23 interim orders, and on 3 occasions, the Court has passed orders allowing the petitioner's travel abroad. Cumulatively, in all the petitions combined about 612 orders have been passed, including approximately 110 orders where permission to travel abroad has been granted. Naturally, for the said orders, consequent orders/directions have also been passed by the concerned Registrar.In none of these cases have the petitioners absconded or fled from the country. Neither

has any attempt to do so been alleged, nor does any such material find place on record.

3. These writ petitions have been categorised into three broad classes for the purposes of discussion, analysis, and disposal, namely: **Category A** — cases where the Look Out Circular has been issued solely at the instance of financial institutions; **Category B** — cases where the Look Out Circular has been issuedat the instance of ministries and investigating agencies; and **Category C** — cases where petitioner is relegated to the forum that issued LOC.Each category raises distinct, though interrelated, legal issues which shall be addressed in the appropriate sequence in this judgment.

4. Comprehensive survey of the constitutional and statutory foundations governing the right to travel, the historical and regulatory evolution of the LOC regime in India, the relevant Office Memoranda issued by the Ministry of Home Affairs ('**MHA**'), and the authoritative pronouncements of the Supreme Court of India and various High Courts on the subject is imperative for laying down, in clear and unambiguous terms, the governing constitutional and legal principles that shall inform and guide the disposal of this batch of petitions.

B. THE LAW OF LOCs

5. The Constitution of India, in its majestic sweep, guarantees to every person the right to life and personal liberty under Article 21, which provides that no person shall be deprived of his life or personal

liberty except according to procedure established by law. The right to travel both within the country and abroad, has been recognised as an integral and constitutionally protected facet of this fundamental guarantee.

6. In ***Satwant Singh Sawhney v. D. Ramarathnam, Assistant Passport Officer***,[1] the Supreme Court authoritatively declared that the right to travel abroad is a constitutionally protected right inhering in the concept of *personal liberty* under Article 21. Passport, being the instrument through which such right is exercised, it was held by the Court, that it cannot be withheld arbitrarily or without authority of law.

7. The constitutional dimensions of this right were elaborated and crystallised in ***Maneka Gandhi v. Union of India***.[2] Unequivocally, it was held that the procedure for depriving a person of his personal liberty must not be arbitrary, unfair, or unreasonable. No person can be deprived of his right to travel abroad unless there is a law made by the State prescribing the procedure for so depriving him, and the deprivation is effected strictly in accordance with such procedure. *In toto*, the said authority categorically rejected the notion that the guarantee of Article 21 can be satisfied by any procedure, however oppressive or unjust. The procedure must conform to the norms of natural justice, due process, fairness, and reasonableness.

8. In the sphere of foreign jurisprudence, the same constitutional

[1] AIR 1967 SC 1836.
[2](1978) 1 SCC 248.

sentiment finds expression in ***Kent v. Dulles***,[3] where the United States Supreme Court recognised freedom of movement across frontiers as a vital incident of individual liberty, deeply embedded within the nation's constitutional heritage, emphasising its intimate connection with personal choice and human dignity. While this decision pertains to a different constitutional order, the values it articulates are of the inviolability of the freedom to travel as an attribute of personal liberty, and are universally shared and have resonance in the Indian constitutional framework.

9. The Constitutional framework, therefore, affirms that the right to travel abroad is not a mere statutory entitlement but a fundamental constitutional right protected by Article 21 of the Constitution. Any restriction on this right must satisfy the triple test enunciated in ***Maneka Gandhi***: (i) it must be founded on a law duly enacted by the competent legislature; (ii) the procedure prescribed by such law must be just, fair, and reasonable; and (iii) the law and the procedure must not violate any of the other fundamental rights guaranteed by the Constitution. Executive action, even if authorised by administrative instructions, cannot be a substitute for legislative mandate when it comes to the possible curtailment of fundamental rights.

10. The concept of a Look Out Circular is not a creature of statute. It has its origins in executive instructions issued by the Ministry of Home Affairs. The earliest instructions in this regard emanated from a letter issued by the MHA dated 05.09.1979, which authorised various

[3]357 U.S. 116 (1958).

agencies to monitor the arrival and departure of Indian citizens as well as foreigners at immigration checkpoints. This early framework was essentially surveillance-oriented and did not specifically address the circumstances under which an LOC could be issued to prevent the departure of a person from the country.

11. A more structured and systematic framework was introduced by the Office Memorandum dated 27.12.2000 issued by the MHA, which was confined in its application to Indian citizens. This memorandum laid down guidelines for the issuance of LOCs but remained limited in its scope and did not fully address the procedural safeguards necessary for the protection of the fundamental right to travel.

12. A significant development in the jurisprudence governing LOCs occurred in 2010, when this Court, through coordinate benches, took up the question of the legal framework governing the issuance of LOCs. In ***Vikram Sharma v. Union of India***,[4] and more significantly in ***Sumer Singh Salkan v. Asst. Director***,[5] the Court addressed a reference on the legal framework and answered several foundational questions governing the issuance of LOCs.

13. In ***Sumer Singh Salkan***, the Court authoritatively held that an LOC can be issued only in cases involving cognizable offences under the Indian Penal Code, 1860 ('**IPC**') or other penal laws, and only where the accused was deliberately evading arrest or not appearing before the trial Court despite non-bailable warrants ('**NBWs**') and

[4]2010 SCC OnLine Del 2475.
[5]2010 SCC OnLine Del 2699.

other coercive measures, and there was a likelihood of the accused leaving the country to evade trial or arrest. The Court further held that: (A) an LOC may be issued in cognizable offences where the accused is deliberately evading arrest; (B) the Investigating Officer must make a written request to the competent officer, and only the competent officer can direct opening of an LOC by a speaking order; (C) the person against whom an LOC is issued must join investigation or surrender before the Court, or satisfy the Court that the LOC was wrongly issued, and may also approach the originating authority for withdrawal; and (D) an LOC is a coercive measure and the jurisdiction of subordinate courts in affirming or cancelling an LOC is commensurate with their jurisdiction in relation to NBWs.

14. In consonance with the judicial guidance provided by ***Sumer Singh Salkan***, the MHA issued a comprehensive Office Memorandum dated 27.10.2010, which confined the issuance of LOCs to cases involving cognizable offences under the IPC or other penal statutes. Non-cognizable matters were restricted to intimation of travel movements only, and the person could not be detained or prevented from leaving. The 2010 OM also specified the category of persons/authorities who could make requests for opening an LOC, including Chairman, Managing Directors, and Chief Executive Officers of public sector banks, a provision which has subsequently been subjected to severe constitutional challenge, as detailed later in this judgment.

15. The MHA revisited and further refined the LOC regime through

the Office Memorandum dated 05.12.2017, which introduced a new category of exceptional cases, authorising the issuance of LOCs even in matters not involving cognizable offences, where the departure of a person was considered prejudicial to the sovereignty, security, or integrity of India, its bilateral relations, strategic or economic interests, or the larger public interest. Further modifications were effected by the Office Memoranda dated 19.09.2018 and 12.10.2018. It is important to emphasise that this exceptional category was introduced as a narrow, residual power to be exercised in truly exceptional circumstances and not as a general power to be routinely invoked.

16. In order to consolidate and streamline the LOC regime, the MHA issued a comprehensive Office Memorandum dated 22.02.2021 (hereinafter "**2021 OM**"), which, in supersession of all earlier guidelines, presently governs the law with respect to the issuance of LOCs. The 2021 OM is the primary regulatory instrument for the purposes of the present adjudication. The relevant provisions of the 2021 OM are as under:

> "*(H) Recourse to LOC is to be taken in cognizable offences under IPC or other penal laws. The details in column IV in the enclosed proforma regarding 'reason for opening LOC' must invariably be provided without which the subject of an LOC will not be arrested/detained.*
>
> *(I) In cases where there is no cognizable offence under IPC or other penal laws, the LOC subject cannot be detained/arrested or prevented from leaving the country. The originating agency can only request that they be informed about the arrival/departure of the subject in such cases.*
>
> *(L) In exceptional cases, LOCs can be issued even in such cases, as may not be covered by the guidelines above, whereby departure of a person from India may be declined at the request of any of the authorities mentioned in clause (B) above, if it appears to such authority based on inputs received that the departure of such person is detrimental to the*

sovereignty or security or integrity of India or that the same is detrimental to the bilateral relations with any country or to the strategic and/or economic interests of India or if such person is allowed to leave, he may potentially indulge in an act of terrorism or offences against the State and/or that such departure ought not be permitted in the larger public interest at any given point in time."

17. Clause 6(B)(xv) of the 2021 OM included the Chairman, Managing Directors, and Chief Executive Officers of all public sector banks within the list of authorities who could make requests for the opening of an LOC. This provision, along with the equivalent clause in the 2010 OM, has been the subject of extensive constitutional litigation and has been found to be unconstitutional by the Bombay High Court, as discussed in the following section.

18. In ***Karti P. Chidambaram v. Bureau of Immigration***,[6] the Madras High Court held that an LOC is a coercive executive measure which directly impinges upon personal liberty and, therefore, cannot be issued in a mechanical or routine manner. It was observed that under the governing guidelines, an LOC can be resorted only when there exists tangible material indicating deliberate evasion of arrest or a real likelihood of the individual fleeing the country. The Court emphasised that the mere existence of a criminal case or investigation is not sufficient to justify the issuance of an LOC, there must be specific, credible material to demonstrate a real and proximate threat of absconding.

19. The most consequential judicial pronouncement for the

[6]2018 SCC OnLine Mad 2229.

purposes of the present batch of petitions is the decision of the Division Bench of the Bombay High Court in ***Viraj Chetan Shah v. Union of India***,[7] decided on 23.04.2024. The lead matter arose from a batch of writ petitions challenging the constitutional validity of the provisions of the 2010 OM and the 2021 OM that enabled the Chairman, Managing Directors, and Chief Executive Officers of public sector banks to seek the issuance of LOCs against defaulting borrowers, thereby restraining their right to travel abroad.

20. The petitioners in ***Viraj Chetan Shah*** contended that such executive instructions permitted a grave curtailment of personal liberty, a fundamental right under Article 21, without any statutory backing or prescribed procedural safeguard, in violation of Articles 14 and 21 of the Constitution. They urged that the right to travel abroad is an integral facet of the right to life and personal liberty, and cannot be restricted by executive fiat, particularly in matters arising out of civil or commercial defaults.

21. The Division Bench, upon a thorough consideration of the constitutional issues, held as follows: (i) the right to travel abroad is an integral component of the right to life and personal liberty under Article 21, and any restriction upon it must be founded on law and must follow a procedure that is fair, just, and reasonable; (ii) fundamental rights cannot be curtailed through executive instructions alone, in the absence of a governing statute or a controlling statutory framework; (iii) the Office Memoranda, viewed in their entirety, could

[7]2024 SCC OnLine Bom 1195.

not be characterised as *per se* arbitrary or unconstitutional, so as to warrant their wholesale invalidation; however, (iv) the inclusion of Chairman, Managing Directors, and Chief Executive Officers of all public sector banks under Clause 6(B)(xv) of the 2021 OM (equivalent to Clause 8(b)(xv) of the 2010 OM) was held to be bad in law, being arbitrary and unreasonable, founded on an improper and invalid classification, and resulting in the conferment of uncanalised, unguided, and excessive power upon bank officials to seek restrictions on personal liberty without any statutory guidance or procedural safeguards.

22. It is further noted that a Special Leave Petition has been filed before the Supreme Court of India assailing the said decision; however, the order of the Bombay High Court has not been stayed, and, therefore, continues to hold the field.

23. The decision in ***Viraj Chetan Shah*** was applied and followed by a Coordinate Bench of this Court in ***Sahil Chugh v. Union of India***.[8] The Court held that an LOC issued at the behest of a public sector bank against borrowers or directors merely on account of loan default or declaration as wilful defaulters, in the absence of any criminal proceedings, is unsustainable in law. The Court emphasised that the expression "*detrimental to the economic interests of India*" under the MHA guidelines is meant for exceptional cases involving grave, systemic, or national economic impact, and not routine commercial defaults. Since no FIR, charge-sheet, or cognizable

[8] 2024:DHC:5203.

offence was pending against the petitioner therein, and the disputes were purely civil and pending before the Debt Recovery Tribunal ('**DRT**'), the Court quashed the LOC as arbitrary and disproportionate.

24. The judgment in ***Sahil Chugh*** was challenged before the Division Bench of this Court in ***Bank of Baroda v. Sahil Chugh***.[9] The Division Bench dismissed the appeal, and affirmed the single judge's conclusion. The Division Bench held that: (i) the mere inability to repay a debt, without there being a criminal case, cannot be a reason to deprive a citizen of the fundamental right guaranteed under Article 21; (ii) the term "*detrimental to economic interest*"requires a finding of grave and systemic impact on the national economy, not routine commercial default; (iii) the circumstances surrounding issuance of an LOC must reveal a higher gravity and a larger impact on the country; and (iv) in view of the judgment of the Bombay High Court in ***Viraj Chetan Shah*** quashing the very power and jurisdiction of public sector banks to seek issuance of LOCs, there cannot be any restriction on the travel of respondents.

25. In ***Rajesh Kumar Mehta v. Union of India***,[10] this Court quashed an LOC issued at the instance of Bank of Baroda ("**BOB**"), holding that the LOC had been issued against the petitioner solely because of the inability of a company to repay its debts for which the petitioner stood as guarantor. There were no criminal proceedings against the petitioner, and no allegation that the petitioner was

[9]2025 SCC OnLine Del 9282.
[10]2024 SCC OnLine Del 4153.

instrumental in defalcation or siphoning off of money. The Court was emphatic that after the bank had already resorted to all remedies available in law, it could not open an LOC as an "*arm-twisting tactic*"to recover debt from a person who is otherwise unable to pay, more so when there were no allegations of fraud or siphoning.

26. In ***Apurve Goel v. Bureau of Immigration***,[11] this Court laid down the important proposition that Look Out Circulars cannot be opened merely on the request of banks. There has to be some independent application of mind by the authority concerned before opening an LOC, since opening of an LOC results in restraining a person's right to travel abroad. The authority opening the LOC must satisfy itself that the departure of the person would be detrimental to the sovereignty, security, or integrity of India, or to bilateral relations, or to the economic interests of India, or that departure of such person ought not to be permitted in the larger public interest.

27. In ***Shalini Khanna v. Union of India***,[12] this Court elaborated upon the term "*detrimental to the economic interests*", and declared it to be of such a magnitude that it can significantly affect the economic interests of the country. The issuance of an LOC cannot be resorted to in every case of bank loan defaults and that the fundamental right of a citizen to travel abroad cannot be curtailed only because of failure to pay a bank loan, especially where the person against whom the LOC is opened has not been arrayed as an accused in any offence for

[11] 2023:DHC:6886.
[12] 2024 SCC OnLine Del 837.

misappropriation or siphoning.

28. In ***Anastasiia Pivtsaeva &Anr. v. Union of India &Ors.***,[13] this Court held that mere association or a familial relationship with an accused, absent any concrete material showing direct involvement or complicity in the alleged offence, cannot justify adverse action such as the denial of security clearance or the continuation of coercive measures such as an LOC. This principle has direct bearing in cases where LOCs have been issued against persons based merely on their status as directors, guarantors, or family members of borrowers.

29. The jurisprudence in this area has been further consolidated and synthesised by a series of decisions of this Court. In ***Puja Chadha v. Directorate of Enforcement***,[14] this Court, relying on ***Prashant Bothra v. Bureau of Immigration***,[15]***Dhruv Tewari v. Directorate of Enforcement***,[16]***Sumer Singh Salkan***; ***Brij Bhushan Kathuria v. Union of India***,[17] and ***Anastasiia Pivtsaeva***, held that the power to issue an LOC is an exceptional and coercive measure which has a direct bearing on an individual's fundamental right to travel, and therefore must be exercised strictly in accordance with law. In ***Sandeep Dhanuka v. Directorate of Revenue Intelligence***,[18] the Court undertook a comprehensive examination of the LOC regime and its various facets, including the circumstances of issuance, continuation,

[13]2024 SCC OnLine Del 5170.
[14]2025:DHC:8787.
[15]2023 SCC OnLine Cal 2643.
[16]2022 SCC OnLine Del 1893.
[17]2021 SCC OnLine Del 2587.
[18]2025 SCC OnLine Del 8280.

and judicial review. Importantly, in para. 19 and 20 the Court held as under:

> "*19.It is now a settled law that opening of an LOC has a very serious effect on a person's fundamental right to travel abroad which is on the face of Article 21 of the Constitution of India and the said right to travel cannot be curtailed without following due process. It is also settled law that recourse to LOC can be taken by the Investigating Agencies primarily when there is a cognizable offence under IPC or in any other penal laws or where the accused is deliberately evading the arrest and not appearing before Court despite summons being served on him or issuance of non- bailable warrants or when other coercive measures have been taken by the Court to ensure his appearance in the Court and that there is likelihood of the accused to leave the country to evade such trial or arrest.*
>
> *20.The LOCs are also being issued at the instance of Investigating Agencies where apprehension is raised by the Investigating Agencies that the person who is alleged of committing an offence might escape the clutches of law by leaving the country. However, the law is also getting crystallized that merely because there are some revenue implications, the LOC cannot be opened against a person. A Single Bench of this Court in Priya Parameswaram Pillai v. Union of Inidia [2015 VII AD (Delhi) 10] has held that merely because there were some revenue implications due to notices issued by the Income Tax Authorities, the violations of tax laws are not demonstrative of the fact that the Petitioner therein had acted inimical to the economic interests of the country".*

30. It has been held by this Court in ***Brij Bhushan Kathuria***, that an LOC has the effect of seriously jeopardising the right to travel of an individual, and that the settled legal position as per ***Sumer Singh Salkan*** is that unless and until there is an FIR lodged or a criminal case pending, an LOC cannot be issued. Phrases such as *"economic interest"* or *"larger public interest"* cannot be expanded to include an Independent Director who was in the past associated with the company being investigated, without any specific role being attributed to him.

31. Most recently, this Court in ***Anant Raj Kannoria v. Union of India &Anr.***,[19]***Maria Ramesh v. Union of India &Ors.***,[20] and ***RitwickDutta v. Union of India &Ors.***,[21] has examined various aspects of the legal framework governing the issuance of LOCs. In ***Anant Raj Kannoria***, this Court held as under:

> "*23. In such circumstances, the continued restraint imposed upon the petitioner by way of the LOC operates as an unwarranted restriction on his personal liberty and right to travel under Article 21of the Constitution without any contemporaneous justification. The mechanical continuation of the LOC, despite the absence of necessity of the petitioner for investigation at this stage, renders the restraint prima facie arbitrary, particularly when the petitioner has neither evaded the process of law nor shown any inclination to obstruct the investigation.*"

32. In ***Vineet Gupta &Anr. v. Union of India &Ors.***,[22]this Court synthesised the entire arc of judicial evolution on the issue of LOC and laid down, the following governing principles:

> *(i) LOC constitutes a coercive executive measure having a substantial impact on the fundamental right to travel, which forms an integral facet of the right to life and personal liberty guaranteed under Article 21 of the Constitution of India. Consequently, the power to issue an LOC must be exercised sparingly, strictly in accordance with law, and only upon satisfaction of the conditions prescribed under the governing Office Memoranda;*
>
> *(ii) An LOC may be issued only in cases involving a cognizable offence under the relevant statutes, where specific, tangible material demonstrates that the person concerned is deliberately evading arrest or judicial process, or that there exists a real and proximate likelihood of absconding;*
>
> *(iii) Moreover, the exceptional power under Clause 6 (L) of the Office Memorandum dated 22.02.2021 is to be narrowly construed and may be exercised only in rare and compelling cases, where the proposed*

[19]W.P.(C) 3313/2023 decided on 09.01.2026.
[20]W.P.(C) 15701/2022 decided on 27.01.2026.
[21]W.P.(C) 12862/2023 decided on 02.02.2026.
[22]2026:DHC:1616

departure of the subject poses a clear and grave threat to the sovereignty, security, or integrity of India, or to its strategic or economic interests in a national or systemic sense, or the larger public interest;

(iv) An LOC issued at the instance of Chairman, Managing Director, or Chief Executive Officers of Public Sector Banks, would not withstand the scrutiny of law and judicial review. Thus, as of now, the LOC issued to Public Sector Banks cannot be sustained and are liable to be quashed;

(v) Courts, in exercise of writ jurisdiction, are duty-bound to subject the issuance and continuation of LOCs to strict scrutiny, balancing the legitimate interests of the State with the individual's fundamental rights, and to quash such circulars where the restraint imposed is found to be arbitrary, disproportionate, lacking in statutory backing, or violative of the principles of fairness, reasonableness, and due process. Ultimately, the burden lies squarely upon the 'originating agencies' to justify the necessity, proportionality, and legality of the restraint, failing which such action cannot be sustained. Pertinent to observe that the continuance of an LOC is not indefinite and must be periodically reviewed. Where it is evident from the record that the subject has cooperated with the investigation, has not evaded the process of law, and where no further interrogation or presence is demonstrably required, the continued operation of an LOC would amount to an unreasonable and unjustified restriction on personal liberty;

(vi) However, it is also to be emphasised herein that the Writ Court is not the exclusive grievance redressal mechanism available to a person against whom a LOC has been issued. As held in Sumer Singh Salkan, a person against whom a LOC is issued is, in the first instance, required to join the investigation or surrender before the jurisdictional Court, or otherwise satisfy the Court that the LOC is unwarranted. The individual may also approach the authority which ordered issuance of the LOC and seek its withdrawal on the grounds of illegality or non-application of mind. An LOC may be withdrawn by the originating authority and may also be rescinded or modified by the trial Court or the Court having jurisdiction over the concerned police station, upon an appropriate application.

33. On a conspectus of constitutional provisions, the regulatory framework, and the entire body of judicial opinion surveyed above, this Court distils the following governing legal principles for the issuance, continuance, and judicial review of Look Out Circulars:

34. ***First***,the right to travel abroad is an integral facet of the

fundamental right to life and personal liberty under Article 21 of the Constitution. Any restriction on this right must be founded on law, must follow a procedure that is just, fair, and reasonable, and must not violate any other fundamental right. Executive instructions cannot be a substitute for legislative mandate for the possible restriction of fundamental rights. ***Second***, an LOC is a coercive executive measure of last resort. It is not a routine tool for law enforcement or debt recovery. Recourse to an LOC may be taken only in cases involving a cognizable offence under the IPC or other penal laws, where the accused is deliberately evading arrest or not appearing before the trial Court despite NBWs and other coercive measures, and there is a real and proximate likelihood of absconding.

35. ***Third***, public sector banks, through their Chairman, Managing Directors, or Chief Executive Officers, do not possess legal authority to seek the opening of an LOC. Clause 6(B)(xv) of the 2021 OM (equivalent to Clause 8(b)(xv) of the 2010 OM), which conferred such power upon bank officials, stands quashed by decisions of both this Court and the Bombay High Court.

36. ***Fourth,*** mere inability to repay a debt, without there being a criminal case, cannot be a reason to deprive a citizen of the fundamental rights guaranteed under Article 21. The issuance of an LOC cannot be resorted to in every case of bank loan default or credit facility availed for business purposes. Where the person against whom the LOC is opened has not been arrayed as an accused in any offence for misappropriation or siphoning, the LOC cannot be sustained. ***Fifth***,

the power under Clause 6(L) of the 2021 OM to issue an LOC in cases detrimental to the "*economic interests of India*" is to be narrowly construed and must be exercised only in rare and compelling circumstances where the proposed departure poses a clear and grave threat to the national or systemic economic interests of India, not in cases of routine commercial default or individual business failure. The quantum of the alleged default and the nature of the loss must be assessed to determine whether it genuinely imperils the national economic interest.

37. ***Sixth***, the authority charged with opening an LOC must apply its mind independently and cannot act as a mere instrument of the originating agency. There must be a speaking order, based on specific and credible inputs, justifying the necessity of the restraint. A mechanical or pro forma compliance with the originating authority's request cannot satisfy this requirement. ***Seventh***, an LOC cannot be issued against a person merely on account of his status as a director, guarantor, shareholder, or family member of a defaulting borrower, in the absence of specific material demonstrating his direct and personal role in the alleged wrongdoing. Guilt is personal and not vicarious in civil or criminal liability.

38. ***Eighth***, the continuance of an LOC is not indefinite. It must be periodically reviewed and must be withdrawn when its purpose has been served. Where the subject has cooperated with the investigation, has not evaded process, and where no further interrogation or presence is required, the continued operation of an LOC amounts to an

unreasonable and unjustified restriction on personal liberty. ***Ninth,*** while the High Court, in exercise of writ jurisdiction, is duty-bound to subject LOCs to strict judicial scrutiny, the Writ Court is not the exclusive forum for challenge. A person against whom an LOC has been issued may, in the first instance, approach the originating authority for withdrawal, or approach the trial Court for its rescission or modification. However, where these remedies are inadequate or ineffectual, the writ jurisdiction is clearly available. ***Tenth,*** the burden of justifying the necessity, proportionality, and legality of an LOC lies squarely upon the originating agency. In the absence of such justification, the LOC cannot be sustained. Courts must not accept bald assertions of security concerns or economic interest without requiring the originating agency to place credible material before the Court.

C. ANALYSIS

I. LOCs ISSUED AT THE BEHEST OF FINANCIAL INSTITUTIONS/BANKS

(i) W.P.(C) 7348/2023

39. The present petition has been filed by the petitioner seeking quashingof the LOC issued against him and permission to travel abroad.It is the case of the petitioner that the sole basis for issuance and continuation of the LOC is his alleged association as a Director and Guarantor of M/s Margdarshak Financial Services Pvt. Ltd. ("**MFSPL**"), which had availed credit facilities from the respondent

Bank.

40. The outstanding loan liability against MFSPL stands at Rs. 218.67 crores as per the Financial Audit Report dated 21.09.2022, and the loan account of MFSPL was subsequently declared as 'Fraud' by the respondent Bank on 22.11.2022. Consequent thereto, the LOC against the petitioner came to be issued by the Managing Director and Chief Executive Officer of Punjab National Bank *vide* reference dated 10.03.2023.

41. It is pertinent to note that no FIR or Criminal Investigation is pending against the petitioner in connection with the aforesaid loan account. The LOC has been issued solely at the instance of the Respondent Bank, without any underlying cognizable offence, and has not been reviewed since the date of its issuance, continuing to subsist mechanically till date. The Respondent Bank has contended that since no collateral security is available in the NPA account of MFSPL, the petitioner remains jointly and severally liable for the outstanding dues as Director and personal guarantor of the Borrower Company.

(ii) W.P.(C) 16550/2023

42. This petition has been filed by the petitioner challenging the LOC opened at the instance of Respondent No. 2/Union Bank of India, seeking its quashing on the ground that the same has been issued without any application of mind, thereby infringing the petitioner's right to travel under Article 21 of the Constitution. The petitioner first came to know of the impugned LOC on 23.11.2023, when he was

stopped at the Indira Gandhi International Airport and denied permission to board his flight to Dubai, where he was scheduled to meet his investor.

43. The petitioner is the Promoter and Director of Respondent No. 3, to which Respondent No. 2 and SBI had extended credit facilities in 2011, which were declared NPA on 30.09.2016. Despite the petitioner paying Rs. 11 crores and submitting multiple settlement proposals, including a lump sum of Rs. 50 crores during the Corporate Insolvency Resolution Process ('**CIRP**') and Rs. 57.30 crores during the liquidation proceedings along with an EMD of Rs. 10,00,000/- and a bank guarantee of Rs. 6,55,90,000/-, none were accepted. The National Company Law Tribunal ('**NCLT**') *vide* order dated 01.12.2023 directed the concerned liquidator to convene meetings of the shareholders and creditors in the Scheme of Compromise filed by the petitioner under Section 230 of the Companies Act, 2013.

44. It is pertinent to note that no criminal investigation is pending against the petitioner, and the account has neither been declared as a wilful defaulter nor fraud. No FIR or criminal complaint has been registered at the instance of the Bank. The impugned LOC has been issued solely at the instance of Respondent No. 2, contrary to the Office Memoranda dated 27.10.2010 and 05.12.2017, without any underlying cognizable offence.

(iii) W.P.(C) 7484/2023

45. The present petition has been filed by the petitioner challenging

the LOC issued against him. At the time of filing of the present petition, the petitioner was given to understand that two LOCs existed against him, one issued at the instance of Respondent/Central Bureau of Investigation ("**CBI**") and the other at the instance of Respondent No. 3/Indian Bank. The LOC issued at the instance of the CBI has since beenwithdrawn. What survives and is impugned in the present petition is solely the LOC issued at the instance of Respondent No. 3/Indian Bank, which continues to subsist against the petitioner.

(iv) W.P.(C) 8252/2024

46. The petitioner is not named as an accused in theFIR filed by CBI. This position has been fairly conceded by Mr. Ripudaman Bhardwaj, learned counsel for the CBI, who submits that the petitioner is not an accused in the FIR. While the CBI investigation is ongoing, the petitioner has neither been arrested nor charge-sheeted. What survives and is impugned in this petition is solely the LOC issued at the instance of Respondent No. 3/Punjab National Bank.

47. Additionally, *vide* order dated 20.01.2025, permission was granted to the petitioner to travel to Canada for the period from 21.01.2025 to 07.03.2025. The petitioner duly complied with the said order and returned to India within the stipulated period without flouting any condition imposed by this Court, thereby demonstrating her *bonafides*.

(v) W.P.(C)549/2025

48. The present petition has been filed by the petitioner challenging

the LOC issued at the instance of BOB. The petitioner was a Director of Mekaster Engineering Limited and resigned from the Directorship on 22.02.2014. The petitioner is also a Guarantor for the loan facility availed by the said company from BOB, which was declared NPA for an outstanding amount of Rs. 11.23 crores.

49. Bank of Baroda has already initiated recovery proceedings by way of OA 242/2015 before the DRT, Ahmedabad, and SARFAESI proceedings have also been initiated against the petitioner. The impugned LOC appears to have been issued in the year 2022, and the petitioner first came to know of the same on 14.06.2022 when he was stopped at the airport. It is pertinent to note that there is no criminal investigation pending against the petitioner, no FIR has been registered, and no aspersion of non-cooperation has been raised against him. The LOC has been issued solely at the instance of the BOB in the absence of any underlying cognizable offence

50. During the pendency of the present petition, this Court *vide* order dated 22.01.2025 had granted permission to the petitioner to travel to the United Kingdom from 23.01.2025 to 20.02.2025 to attend the graduation ceremony of his son. The petitioner duly complied with the said order and returned to India within the stipulated period without flouting any condition imposed by this Court, thereby demonstrating his *bonafides*.

(vi) W.P.(C) 1304/2025

51. The present petition relates solely to the LOC issued at the

instance of BOB, opened on 01.10.2019. The petitioner was engaged with M/s Kwality Limited, first as a Consultant and thereafter as an Executive Director from 18.04.2011 to 28.05.2015, and subsequently as a Non-Executive Director from 29.05.2015 to 10.07.2018. The said company availed certain loan facilities, and upon default, the loan account was declared NPA.

52. An FIR came to be registered by the CBI on 10.09.2020, in which the petitioner has been named as an accused, with allegations of diversion of funds, inflation of cash sales, and engagement in circular transactions in her capacity as Director and personal guarantor of the company. An ECIR was also registered by the Enforcement Directorate. The petitioner is currently out on regular bail.

53. During the pendency of the present petition, this Court has on four occasions permitted the petitioner to travel abroad. The petitioner has on each occasion duly complied with the conditions imposed and returned to India within the stipulated period, thereby demonstrating her *bonafides*. The details of the travel permissions granted are as under:

S.No.	Order Date	Destination	Purpose
1.	*30.02.2025*	*Singapore*	*Accompany Daughter for Higher Studies*
2.	*13.10.2025*	*Singapore*	*Settle in New Accommodation*
3.	*17.11.2025*	*Bangkok*	*Not Specified*
4.	*19.12.2025*	*Baku,*	*Attend Birthday of his family fried.*

		Azerbaijan	

54. The petitioner has at all times complied with the conditions imposed by this Court and has returned as per the stipulated timelines on each occasion, thereby demonstrating his *bonafides* and continued respect for the directions of this Court.

(vii) W.P.(C) 7503/2024

55. The present petition has been filed by the petitioner challenging the LOC issued at the instance of Union Bank of India. The petitioner is a citizen of India and has been a permanent resident of Hong Kong since 1978, where he has incorporated his own company. The said company availed a credit facility from the Hong Kong Branch of Union Bank of India, in respect of which the petitioner was a personal guarantor and had also mortgaged a property situated in Hong Kong.

56. Due to default in repayment, the Union Bank of India, Hong Kong declared the bank account of the petitioner's company as NPA on 30.09.2019. The petitioner first came to know of the impugned LOC on 24.11.2021, when he was informed by the Immigration Department upon being stopped while travelling back to Hong Kong from India.

57. It is the case of the petitioner that no cause of action for the issuance of the LOC arose within India, and if any cause of action existed, it subsists solely in Hong Kong. It is pertinent to note that no criminal case or investigation is pending against the petitioner in India,

and the LOC has been issued solely at the instance of Union Bank of India in the absence of any underlying cognizable offence.

(viii) W.P.(C) 4612/2025

58. The present petition has been filed by the petitioner challenging the LOC issued at the instance of BOB, which appears to have been opened prior to 2022.

59. The petitioner is a guarantor to the loan facility availed by M/s Mahesh Timber Private Limited from BOB, whose credit facilities were declared NPA in 2016 with outstanding dues exceeding Rs. 50 crores. It is pertinent to note that the petitioner is neither a Director nor a shareholder of M/s Mahesh Timber Private Limited, and is not a beneficiary of the loan facility availed by the said company. A recovery application filed at the instance of BOB is also pending adjudication before the DRT, Chandigarh.

60. The CBI has filed a chargesheet in the matter; however, the petitioner has not been named therein. The petitioner is currently on bail in FIR No. 3276/2014. It is further submitted that LOCs were also opened by BOB against the petitioner's family members, namely, Smt. Lakshmi Singhal (Mother), Shri Babu Ram (Father) and Shri Deepak Singhal (Brother). This Court *vide* judgment dated 08.08.2024 in W.P.(C) 15990/2023, 7239/2024 and 7207/2024 set aside those LOCs, and the appeal preferred by BOB against the said judgment has been dismissed *vide* order dated 18.12.2025 in LPA 1070/2024.

61. Mr. Arun Aggarwal, learned counsel appearing for BOB, has

submitted that the instant petition is not maintainable before this Court as no part of the cause of action has arisen within its territorial jurisdiction. It is his case that the loan was availed at Chandigarh, the DRT proceedings are pending at Chandigarh, and the LOC was opened outside the jurisdiction of this Court, and hence the petitioner ought to have approached the High Court of Punjab and Haryana.

62. He also submits that the High Court of Punjab and Haryana in W.P.(C) 19018/2022 and W.P.(C) 12712/2022 has quashed similar LOCs issued at the instance of BOB, and the said orders were stayed by the Supreme Court, pending a final adjudication on the challenge. It is his case that the Court ought not to grant a similar relief.

63. Learned counsel has also relied upon certain Rajya Sabha debates to reflect a considered Government policy on LOCs issued at the instance of banks in matters of large financial defaults, and this Court ought to be guided by the same.

64. It is found appropriate to deal with the specific submissions of Mr Aggarwal, at this stage itself. They are found to be lacking in merit owing to the following reasons:

65. ***First***, having regard to the facts and circumstances of the present case, particularly that the petition was entertained in 2025, that the petitions filed by the petitioner's family members were entertained and decided by this Court, and that pleadings stand completed, it would not be appropriate to relegate the petitioner to another High Court at this stage. While on this point alone the present petition ought

to be entertained. It may also be considered that the LOC in the instant case has been opened at the behest of BOB, which is in Delhi, further the Bureau of Immigration, which is the authority that ultimately issues and circulates the LOC, is also in Delhi. Thus, it is not a case where, no part of the cause of action has arisen within the jurisdiction of this Court.

66. ***Second***, the setting aside of an LOC is a fact-specific exercise and depends upon the individual facts and circumstances of each case. The stay of the orders of the Punjab and Haryana High Court in other matters would not operate as a bar to this Court examining the validity of the impugned LOC on its own merits. It is settled law that a stay of a judgment operates only inter parties and does not have the effect of nullifying the legal principle laid down therein for all purposes. The impugned LOC must therefore stand or fall on its own merits.

67. ***Third***, legislative debates, including those in the Rajya Sabha, are at best a tool of external aid in the interpretation of a statute and cannot substitute a formal executive or legislative order. Unless there is a formal order or notification issued by the Government, or a statute passed by the legislature, which further has withstood judicial scrutiny, parliamentary debates cannot be used to shield an order, which otherwise deserves to be quashed.

(ix) W.P.(C) 4310/2026 AND 5086/2026

68. The present petitions have been moved by the petitioner seeking suspension of the LOC(s) issued against her and permission to travel

abroad. W.P.(C) 4310/2026 arises out of the LOC issued at the instance of Punjab National Bank, whereas W.P.(C) 5086/2026 arises out of the LOC issued at the instance of BOB. Both petitions arise out of the same set of facts pertaining to the alleged association of the petitioner as a Director of Moser Baer India Ltd. ("**MBIL**") and Moser Baer Solar Ltd. ("**MBSL**").

69. It is the case of the petitioner that the sole basis for issuance and continuation of the LOC is his alleged association as a Director of MBIL and MBSL, which had availed credit facilities from the Respondent Banks. The allegations pertain to criminal conspiracy, forgery, use of forged documents, and alleged irregularities in the loan accounts of MBIL and MBSL. Consequent thereto, an FIR came to be registered by the CBI, pursuant to which the impugned LOC was issued against the petitioner. Additionally, the petitioner was declared a wilful defaulter under the Reserve Bank of India's Master Circular.

70. The petitioner was informed of the issuance of the impugned LOC *vide* an undated letter received on 06.10.2020.

71. It is, however, pertinent to note that the declaration of the petitioner as a wilful defaulter *qua* the account of MBSL by Punjab National Bankhas since been set aside by this Court *vide* judgment in ***Nita Puri v. Punjab National Bank***,[23]and the same has been affirmed by the Division Bench of this Court vide judgment in ***Punjab National Bank v. Nita Puri***,[24] thereby upholding the setting aside of

[23] 2024:DHC:1646 : W.P.(C) 10568/2023, order dt. 29.02.2024.
[24]LPA No. 294/2024.

the declaration of wilful default against the petitioner.

72. Further, the petitioner stands discharged in both the RC's by the Trial Court. The Ld. CJM, Rouse Avenue District Court, New Delhi discharged the petitioner in the MBSL matter *vide* RC No. 223/2020/A/0002 in the case of ***CBI vs. M/s Moser Baer Solar Ltd. & Ors***. *vide* order dated 24.05.2025. Likewise, the Ld. Special Judge-CBI, (PC Act)-10, Rouse Avenue District Court, New Delhi discharged the petitioner in the MBIL matter vide RC No. RCBD1/2019/0006 in the case of ***CBI v. M/s Moser Baer India Ltd. &Ors.*** *vide* order dated 17.01.2025.

73. While two revision petitions at the instance of the CBI against the said discharge orders are pending before this Court, the CBI has not independently opened any LOC against the petitioner. As of date, no criminal investigation is pending against the petitioner at the instance of any Investigating Agency, and the LOC earlier issued by one such agency stands cancelled by the Court of competent jurisdiction. It is further submitted by the learned counsel for Respondent No. 4/Central Bank of India that no LOC has been issued at their instance.

74. Since the issuance of the impugned LOC, the petitioner has been allowed to travel abroad on 12 occasions by this Court, by orders passed in W.P.(C) 8608/2020 i.e., the earlier writ petition filed by him,[25]and has duly returned on each and every occasion, without

[25]Which was withdrawn by the petitioner *vide* the liberty granted by the Court in its order dated 14.01.2026 in W.P.(C) 8608/2020.

flouting any condition imposed by this Court. The details whereof are as under:

S.No.	***Order Date***	***Destination***	***Purpose***
1.	*24.12.2020*	*USA*	*Medical Treatment of Husband*
2.	*22.07.2021*	*USA*	*Medical Treatment of Husband*
3.	*10.12.2021*	*USA*	*Personal Medical Treatment*
4.	*01.06.2022*	*USA*	*To meet Grand-Daughter*
5.	*12.09.2022*	*USA*	*To meet daughter & grand-daughters; medical treatment*
6.	*28.03.2023*	*USA*	*Not Specified*
7.	*28.03.2023*	*Interlaken, Switzerland*	*Vacation with daughter and grand-daughters*
8.	*17.08.2023*	*Not Specified*	*Family get together*
9.	*15.03.2024*	*Not Specified*	*Family get together*
10.	*05.07.2024*	*United Kingdom, Germany and Australia*	*Vacation with daughter and grand-daughters*
11.	*03.09.2024*	*USA*	*To spend time with daughter*
12.	*03.09.2024*	*USA*	*To spend time with daughter*

75. The petitioner has at all times complied with the conditions imposed by this Court and has returned as per the stipulated timelines on each occasion, thereby demonstrating her *bonafides* and continued respect for the directions of this Court.

(x) W.P.(C) 4066/2026 AND W.P.(C) 5126/2026

76. The facts and situation in the instant case are almost similar to W.P.(C) 3971/2026. The petitioner herein is also a Director of MBIL and MBSL, and the background facts pertaining to the credit facilities, declaration of fraud, CBI proceedings, and discharge orders remain the same as set out hereinabove.

77. The petitioner in W.P.(C) 4066/2026 was informed of the issuance of the impugned LOC *vide* mail dated 11.03.2022 by the Bureau of Immigration. It is submitted by the learned counsel appearing for Respondent/CBI that no LOC has been issued at their instance. Similarly, learned counsel appearing for Punjab National Bank submits that while an LOC was earlier issued at their instance, the same is no longer subsisting as on date. The petitioner confined the present petition solely to the LOC issued at the instance of the Bank.

78. In W.P.(C) 5126/2026, LOC was issued at the instance of the BOB, the remaining facts remain identical to W.P.(C) 4066/2026.

79. During the pendency of the present petition, the petitioner has been granted permission to travel abroad on 9 occasions and has duly returned on each occasion without flouting any condition imposed by this Court, thereby demonstrating his *bonafides*. The details whereof are as under:

S.No.	***Order Date***	***Destination***	***Purpose***
1.	*20.04.2022*	*Franc and Iceland*	*Business Meetings*
2.	*24.08.2022*	*USA and Spain*	*Business Meetings and Meet Daughter*

3.	*14.12.2022 &20.12.2022*	*Netherlands and France*	*Not Specified*
4.	*05.04.2023*	*USA*	*Business Meetings and Meet Daughter*
5.	*25.08.2023*	*Spain and Italy*	*Business Meetings*
6.	*03.04.2024*	*South Korea, Japan and UAE*	*Business Meetings*
7.	*16.05.2024*	*France, Switzerland and England*	*Business Meetings*
8.	*29.10.2024*	*Japan, Oman and Thailand*	*Business Meetings*
9.	*22.09.2025*	*Spain*	*Business Meetings*

(xi) W.P.(C) 1196/2026

80. The present petition has been filed by the petitioner challenging the LOCs issued at the instance of Indian Bank and BOB. The petitioner is the former Chairman and Managing Director of M/s Neosis Industries Limited, which had availed banking facilities from a consortium of lenders led by Punjab National Bank, including Respondent Nos. 2 and 3.

81. The Banks have submitted that the account of the company has been declared fraud and that a huge amount remains to be recovered from the petitioner. However, it is submitted by the petitioner that these aspects, even assuming to be correct, cannot be the sole basis for opening or continuing the LOCs against the petitioner. It is further noted that the Respondent Banks have not placed on record any document to substantiate the declaration of the account as fraud.

82. The petitioner was granted relief by the Ld. Special Judge, PC Act *vide* order dated 06.02.2026 permitting him to travel to Bangkok from 17.02.2026 to 28.02.2026, and the petitioner duly complied with the said order and returned within the stipulated period, thereby demonstrating his *bonafides*.

83. Having set out the facts of each of the aforementioned petitions, this Court finds it apposite to note that all abovementioned petitions, though arising from distinct factual matrices, share a common and identical legal thread: in each case, the Look Out Circular has been issued solely at the instance of a public sector bank, in the absence of any subsisting independent criminal proceeding forming the foundation for such issuance, or in cases where the petitioner is either not named as an accused, has been discharged by the Trial Court, or is merely a guarantor or former director with no direct and personal complicity established in the alleged fraud or misappropriation. It is for this reason that all petitions are being considered and disposed of together, as they raise identical questions of law and call for the application of the same settled legal principles.

84. The fundamental question before this Court in these petitions resolves itself into a single compound inquiry—whether the concerned LOCs qualify and meet the principles set out by this Court in para. 34-38 of this judgement, including, *inter alia*, whether at the time of issuance of the LOC, a live and validly registered cognizable offence under the IPC or any other penal statute, and was the LOC issued by a competent authority acting upon credible, specific, and independently

verified material? Where the LOC is found to fall ill with the principles enunciated above, the LOC must fall, and this Court is constitutionally obligated to quash it. When the facts of each of the aforenoted petitions before this Court are tested against this standard, it is evident that none of them satisfy the requirement of law.

85. In all cases, the LOCs have been continued mechanically without any periodic review, and several petitioners, particularly those in **W.P.(C) 4310/2026**, **W.P.(C) 5086/2026, W.P.(C) 4066/2026** and **W.P.(C) 5126/2026**, have travelled abroad on multiple occasions and returned each time without default, demonstrating their *bonafides* beyond doubt.

86. The LOCs are accordingly quashed and set aside in, subject to the following conditions:-

a. Each petitioner shall be entitled to travel abroad without any prior permission from this Court. The petitioner shall, however, intimate the concerned Bank, with their full itinerary either personally or through counsel, at least 48 hours priorto his/her departure;

b. If, for any reason, it is not possible to furnish the said intimation within 48 hours, the same shall be furnished immediately when the travel plan is finalised; and

c. If on account of a change in law, including a declaration by a Court, affirming the competence/jurisdiction of financial institutions to seek the issuance LOCs, the

institutions shall be at liberty to seek the issuance of LOCs in accordance with law.

87. The concernedBanksaredirectedtoinform the Bureau of Immigration regarding, *inter alia*, the quashing of the LOCs against the respective petitioners, and to take all necessary steps to ensure that the petitionersare not impeded from travelling abroad. The petitioner shall also be at liberty to send such communication to the Immigration Department independently.

88. While the aforesaid common conditions shall apply to all abovementioned petitions, it is further directed that in certain petitions, the following additional conditions shall apply over and above the common conditions set out hereinabove:

W.P.(C) 1304/2025

89. Since the petitioner is already complying with the terms and conditions of the bail order and shall always be travelling with the permission of the concerned Court, there is no impediment in setting aside the LOC issued at the instance of the Bank. The same stands set aside.

90. It is made clear that the petitioner shall not travel abroad unless she obtains prior permission from the competent Court(s) where the chargesheet(s) have been filed and the matters are pending, unless the LOCs issued at the instance of the CBI and the Enforcement Directorate are set aside or the concerned Court otherwise permits.

W.P.(C) 7503/2024

91. The decree holder shall always be at liberty to seek appropriate directions from the Executing Court requiring deposit of the petitioner's passport or its seizure, as may be deemed fit.

92. The petitioner shall intimate the concerned Bank, either personally or through counsel, at least 7 days prior to his departure to Hong Kong, in substitution of the 48-hour period stipulated in the common conditions. In the event the petitioner returns to India, he shall likewise intimate the concerned Bank in advance of his travel back to Hong Kong.

II. LOCs ISSUED BY INVESTIGATING AGENCIES AND MINISTERIES

(xii) W.P.(C) 9610/2023, W.P.(C) 3904/2025, W.P.(C) 11461/2025 AND W.P.(C) 11972/2025

93. The present petitions have been filed by five petitioners, all members of the same family, seeking quashing of the LOCs issued against them at the instance of the Serious Fraud Investigation Office ("**SFIO**"). The petitioners were appointed to different positions in Assotech Limited, a company engaged in real estate development having executed multiple projects across Delhi and the National Capital Region.

94. Company Petition No. 357/2015 directed the SFIO to investigate into the affairs of Assotech Limited during the period of ex-management. The investigation so directed has since been completed and a complaint has been filed before the Court of

competent jurisdiction invoking Sections 447, 313 and 448 of the Companies Act, 2013 and Sections 211 read with 628 and 454 of the Companies Act, 1956, wherein the role and allegations attributed against each of the petitioners have been elaborately dealt with. Cognizance on the said complaint has, however, not yet been taken, and the matter is listed for consideration on 21.05.2026.

95. It is pertinent to note that each of the petitioners has rendered fullest cooperation to the SFIO in completion of the investigation, and no aspersion of non-cooperation has been raised against any of them. The petitioners have further undertaken before this Court that they shall fully cooperate with the complaint proceedings and appear before the concerned Court as and when cognizance is taken.

96. During the pendency of the present petitions, all five petitioners were permitted to travel abroad on multiple occasions by interim orders of this Court and have reported back on each occasion, complying strictly with the conditions imposed, without any violation whatsoever.

(xiii) W.P.(C) 10895/2023

97. The present petition has been filed by the Chairman & Managing Director of Hotel Queen Road Private Limited, seeking quashment of the LOC dated 13.07.2022, issued at the instance of the Income Tax Department following a search action conducted on 07.07.2022, alleging high value cash transactions and undisclosed foreign assets under the Black Money (Undisclosed Foreign Income

and Assets) Imposition of Tax Act, 2015.

98. During the relevant period of allegations, i.e., 2015-2016 to 2018-2019, the petitioner was a Non-Resident Indian and was accordingly not required to disclose his foreign assets in India. Upon returning to India, the petitioner duly disclosed all foreign bank accounts and income from sale of foreign assets in Dubai in his ITRs for Assessment Years 2019-2020 and 2020-2021 respectively.

99. As on date, there is no FIR registered against the petitioner and his complicity is not under investigation in any cognizable offence. The Income Tax Department has passed an assessment order dated 30.03.2026 making certain additions on account of undisclosed foreign assets, which is under challenge in W.P.(C) 3935/2026, wherein this Court has directed that the said order shall not be given effect to until further orders.

100. This Court *vide* order dated 30.05.2025 had further allowed the interim suspension of the LOC subject to conditions. It is submitted that the pendency of recovery proceedings alone cannot sustain the LOC.

(xiv)W.P.(C) 1942/2023 AND W.P.(C) 1962/2023

101. The present connected petitions, being W.P.(C) 1942/2023 and W.P.(C) 1962/2023, have been filed challenging the LOC issued against the petitioner at the instance of the State Bank of India and the CBI respectively. Both petitions arise out of the same facts and circumstances.

102. The petitioner was a Director in Respondent No. 3 and Respondent No. 4 Companies, from which he claims to have resigned in December 2015 and May 2014 respectively. The petitioner had stood as a guarantor in respect of the loan facility availed by the said Companies from the Bank. Proceedings for recovery of the said loan are presently pending before the DRT.

103. The LOC issued at the instance of SBI arises out of the aforesaid loan facility and the recovery proceedings pending before the DRT.

104. The LOC issued at the instance of CBI is based on FIR bearing No. RC0032020A0019, registered under Sections 420, 467, and 120-B of the Indian Penal Code read with Sections 13(2) and 13(1) of the Prevention of Corruption Act, 1988. The petitioner seems to have fully cooperated with the investigation. The CBI has since completed its investigation and filed a charge-sheet before the Court of competent jurisdiction.

105. Since the appropriate forum for adjudication of the dispute between the petitioner and the Bank is the DRT, the continuance of the LOC issued at the instance of SBI is not warranted. Insofar as the LOC issued at the instance of CBI is concerned, the petitioner has not been called upon by the investigating agency for a period of more than two years and the LOC, having served its purpose, has lost its utility.

(xv)W.P.(C) 950/2025AND W.P.(C) 16610/2024

106. The present petitions have been filed by Sh. Anil Bhalla

(W.P.(C) 16610/2024), and his son Sh. Gautam Bhalla (W.P.(C) 950/2025), both erstwhile Directors of Vatika Limited, challenging the LOCs issued against them at the instance of the Enforcement Directorate ('**ED**') in connection with ECIR/GNZO/16/2021 registered under the Prevention of Money-Laundering Act, 2002 ('**PMLA**') on the basis of FIRs of Economic Offences of Wing ('**EOW**'). The LOCs earlier issued against both petitioners by the EOW in April 2022 were revoked in August 2022. Both petitioners seem tohave fully cooperated with the ED investigation at all stages. They were neither arrested, and nor are there present any allegation of non-cooperation, which have been raised against either of them. The ED also seems to have secured its interests by attaching properties worth Rs. 68,59,90,725/- vide PAO No. 3/2025 and Rs. 1,08,33,90,000/- vide PAO No. 30/2025. The Special Court, however, as of now has not taken cognizance of the offence.

107. During the pendency of the present petitions, the petitioner in W.P.(C) 16610/2024 was permitted to travel to the United Kingdom for medical treatment *vide* interim orders dated 05.12.2024 and 06.12.2024. The petitioner in W.P.(C) 950/2025 was permitted to travel to London on two occasions, *vide* order dated 28.07.2025 for his daughter's admission process and *vide* order dated 14.01.2026 for visiting his daughter, and has duly complied with the conditions on each occasion, thereby demonstrating his *bonafides*.

(xvi) W.P.(C) 8859/2025

108. The present petition has been filed by five petitioners, all family

members, challenging the LOC issued against them at the instance of the Income Tax Department. Petitioner nos. 1 and 2 are husband and wife, petitioner nos. 3 and 5 are their children, and petitioner no. 4 is the daughter-in-law, who is a foreign national. Except petitioner no. 4, all other petitioners are tax residents in India.

109. On receipt of information regarding alleged non-disclosure of foreign properties, a search and seizure action was conducted on 24.10.2024 and concluded on 27.10.2024 at various premises of the petitioners in Safdarjung Enclave, New Delhi and at Narmada River View Resort, Madhya Pradesh. Certain incriminating material was found which *prima facie* revealed an undisclosed foreign entities and assets, including an entity by the name of Safai International operating in Tashkent, Uzbekistan, purportedly run by petitioner no. 1.

110. The petitioners were subsequently summoned on 04.12.2024 for post-search proceedings and duly submitted their clarifications between 17.01.2025 and 21.01.2025. There is no FIR registered against any of the petitioners nor is any cognizable offence under investigation.

111. On 14.04.2025, petitioner no. 1 submitted a written request to the Respondent seeking withdrawal of the LOC for himself and his family members, assuring continued cooperation. For the past six months, no further summons or notices have been issued to the petitioners.

(xvii) W.P.(C) 4065/2025

112. The present petition has been filed by the petitioner seeking quashing of the LOC issued at the instance of the Income Tax Department.

113. The petitioner is a director of several tax-paying companies and is a resident of the USA. Search and seizure operations were conducted by the Income Tax Department on 27-28.11.2024 at the residence of the petitioner, offices of companies where the petitioner is a director, and the residences of his father, brother and in-laws, while the petitioner was in the USA attending to medical exigencies. The petitioner, thereafter, returned to India, underwent surgery for a malignant tumour on17-18.02.2025, and upon recovery, duly joined the investigation in person on 25.02.2025 and subsequently submitted replies to queries raised during the in-person hearing vide emails dated 12.03.2025, 17.03.2025 and 20.03.2025.

114. It is pertinent to note that no FIR has been registered against the petitioner and no cognizable offence has been made out. The investigation *qua* the income of the petitioner stands concluded and assessment proceedings are presently pending. The petitioner learnt of the existence of the LOC only on 19.03.2025 when informed by the Respondent, compelling him to file the present petition.

(xviii)W.P.(C) 1875/2025

115. The present petition has been filed challenging the LOC issued at the instance of the ED on 26.09.2024 in connection with ECIR. No. GNZO/16/2021, which was registered by the ED on the basis of 4

FIRs.

116. It is pertinent to note that the ED has filed a complaint against persons whose complicity has been *prima facie* established; however, the petitioner has not been proposed as an accused in the ECIR. The ED seeks continuance of the LOC on the ground that proceeds of crime are yet to be identified and that the petitioner is a flight risk.

117. The petitioner had travelled abroad on two occasions after the commencement of the investigation and prior to the issuance of the LOC on 26.09.2024, without seeking any prior permission, and duly returned to India on both occasions. This conduct, far from establishing flight risk, demonstrates the petitioner's *bonafides* and his intention to remain within the reach of the investigating agency.

(xix) W.P.(C)19065/2025

118. The present petition has been filed challenging the LOC issued at the instance of SFIO. The petitioner was a Non-Executive Director of Hero Electric Vehicles Private Limited ("**HEVPL**") from 31.07.2010 to 21.05.2024, with a limited role and no operational responsibility over HEVPL. HEVPL is alleged to have wrongfully claimed subsidies under the FAME-II Scheme and violated the Phased Manufacturing Programme ("**PMP**") Guidelines.

119. *Vide* order dated 25.09.2024, SFIO was directed to investigate the affairs of HEVPL. The petitioner fully cooperated with the investigation, appeared before SFIO on 15.11.2024 and 09.01.2025, and furnished all documents and details as sought. There was no

coercive process against the petitioner at any stage.

120. On 28.11.2025, SFIO stated before this Court in W.P.(Crl.) 3594/2024 that the investigation stands concluded and the report has been submitted to the Ministry of Corporate Affairs on 14.10.2025 for prosecution. There is no FIR by any other investigating agency, and no prosecution complaint has been filed against the petitioner till date.

(xx) W.P.(C) 15146/2025 AND W.P.(C) 14518/2024

121. The present connected Writ Petitions, have been filed challenging the LOCs issued at the instance of the Ministry of Corporate Affairs ('**MCA**'). Both the petitioners were Directors of M/s Wave Megacity Centre Pvt. Ltd. On 25.03.2021, a Company Petition bearing (IB) No. 197/PB/2021 was filed before the NCLT, New Delhi on behalf of the company under Section 10 of IBC, 2016, seeking initiation of the CIRP.

122. *Vide* order dated 06.06.2022, the NCLT rejected the said Company Petition and directed the Central Government to conduct necessary investigation into the affairs of the Company. Pursuant thereto, *vide* order dated 15.06.2022, the Central Government ordered an investigation by the Regional Director, MCA into the affairs of M/s Wave Megacity Centre Pvt. Ltd.

123. Both the petitioners appeared before the concerned officer of the MCA on 08.08.2023 and 29.02.2024 and submitted Representations dated 18.12.2023 and 21.03.2025 to the MCA requesting suspension/revocation of the LOCs issued against them, as they have

frequent personal and professional obligations requiring travel abroad.

124. During the pendency of the present petition, the petitioner in W.P.(C) 14518/2024was permitted to travel abroad on 6 occasions and has completed all previous journeys without any default or violation of any terms and conditions imposed by this Court. Travel details are as follows:

S. No.	***Order Date***	***C.M. No.***	***Duration Allowed***
1.	*24.12.2024*	*73194 of 2024*	*27.12.2024 to 01.02.2025*
2.	*10.02.2025*	*7246 of 2025*	*12.02.2025 to 26.03.2025*
3.	*17.04.2025*	*20919 of 2025*	*22.04.2025 to 11.08.2025*
4.	*30.07.2025*	*42084 of 2025*	*30.07.2025 to 31.08.2025*
5.	*04.09.2025*	*42084 of 2025*	*11.09.2025 to 08.10.2025*
6.	*16.10.2025*	*42084 of 2025*	*01.11.2025 to 31.01.2026*

(xxi) W.P.(C) 2799/2026

125. The present petition has been filed by the petitioner seeking quashing of the LOC issued at the instance of the Income Tax Department. It is noted that the LOC issued at the instance of the Bank against the same petitioner has already been set aside by this Court in W.P.(C) 5126/2026.

126. It is the case of the petitioner that black money proceedings have been initiated against him involving allegations of undisclosed foreign assets and siphoning of funds. However, no assessment or demand has been raised against the petitioner as the proceedings stand

stayed by the Division Bench of this Court in W.P.(C) 3816/2023. As of date, no cognizable offence has been made out against the petitioner and the investigation remains pending.

127. During the pendency of the present petition, the petitioner has been permitted to travel abroad on 9 occasions and has duly returned on each occasion without flouting any condition imposed by this Court, thereby demonstrating his *bonafides*. The details of the travel permissions granted are as under:

128. The continuation of the impugned LOCs in the aforenoted cases is not sustainable, they are accordingly set aside, subject to the following conditions:

a. The petitioners shall be entitled to travel abroad without any prior permission of this Court.The petitioners shall, however, intimate and provide the full itinerary to the concerned department/agency, eitherpersonally or through counsel, at least 48 hours prior to their departure; and

b. If, on account of a change in law, or any other supervening event, including a declaration by a Court, the institutions shall be at liberty to seek the issuance of LOCs in accordance with law.

129. The concerned Investigating agencies/ Ministries are directed to inform the Bureau of Immigration regarding, *inter alia*, the quashing of the LOCs against the respective petitioners, and to take all

necessary steps to ensure that the petitionersare not impeded from travelling abroad. The petitioner shall also be at liberty to send such communication to the Immigration Department independently.

130. With the aforesaid directions, the aforesaid petitions stand disposed of accordingly.

131. While the aforesaid common conditions shall apply to all abovementioned petitions, it is further directed that in certain petitions, the following additional conditions shall apply over and above the common conditions set out hereinabove.

W.P.(C) 10895/2023 AND W.P.(C) 8859/2025

132. The petitioners shall disclose on affidavit, the list of all moveable and immoveable assets in India (including those jointly owned by the petitioner along with his family members).

133. The petitioners shall furnish a full itinerary to the Investigating Agency seven days before undertaking any journey abroad,and if not possible, at least 48 hours before undertaking the same;

134. The petitioners shall not create any third-party rights whatsoever without prior intimation to the Investigation Agency.

135. The petitioners shall disclose all his/her assets held by him/her or the company entities controlled by him/her directly or indirectly in any foreign country whether it is movable or immovable.

136. The petitioners shall disclose all his foreign bank accounts (whether singly or jointly) and shall also furnish the bank statements in

respect thereof, for the period since the date of the opening of the said bank account/s till date.

W.P.(C) 9610/2023, W.P.(C) 3904/2025, W.P.(C) 11461/2025 AND W.P.(C) 11972/2025

137. One of the petitioners shall always remain in India at all times, and all the petitioners shall not be permitted to travel abroad together simultaneously.

W.P.(C) 19065/2025

138. The petitioner shall furnish bank statements in respect of all foreign bank account(s) held by him, from the date of opening of such account(s) till date, before the concerned officials of the Ministry of Corporate Affairs, and shall not operate any such foreign bank account(s) while travelling abroad.

139. The petitioner shall file a detailed affidavit disclosing his complete travel itinerary, including stay locations, telephone numbers, and residential/hotel addresses abroad, along with an undertaking to strictly adhere to the said itinerary.

140. The petitioner shall provide all contact numbers to be used during his stay abroad, at least one of which shall remain operational at all times, save for the period of travel on board an aircraft.

141. Upon return to India, the petitioner shall file a self-attested copy of his passport along with copies of the relevant visas

III. APPROPRIATINESS OF RELEGATING THE

PETITIONER TO THE FORUM THAT ISSUED THE LOC

142. Having dealt with the category of cases where the LOCs deserve to be quashed outright, it is imperative to turn to a distinct and doctrinally coherent category of cases before us, where the facts do not warrant an immediate quashing of the LOC but where the petitioners' grievances are more appropriately addressable before the forum that originally ordered the issuance of the LOC or the Court before which the criminal proceedings are pending.

143. These are the category of cases where the writ court has disposed of the writ petition, without interfering with the LOC, but has simultaneously directed the petitioner to approach the authority or forum that originally ordered the issuance of the LOC, for appropriate relief. This mode of disposal deserves separate and careful analytical treatment, as it reflects a nuanced judicial recognition of the constitutional balance between the writ court's plenary jurisdiction and the institutional primacy of the originating forum in the first instance. ***Sumer Singh Salkan*** is the bedrock authority for this category, which laid down comprehensive guidelines for the LOC regime. It specifically held as under:

> "*11A... Recourse to LOC can be taken by investigating agency in cognizable offences underIPC or other penal laws, where the accused was deliberately evading arrest or notappearing in the trial court despite NBWs and other coercive measures and there waslikelihood of the accused leaving the country to evade trial/arrest.*
>
> *B. The Investigating Officer shall make a written request for LOC to the officer as notifiedby the circular of Ministry of Home Affairs, giving details & reasons for seeking LOC.The competent officer alone shall give directions for opening LOC by passing an order*

inthisrespect.

C. The person against whom LOC is issued must join investigation by appearing I.O orshould surrender the court concerned or should satisfy the court that LOC was wronglyissued against him. He may also approach the officer who ordered issuance of LOC &explain that LOC was wrongly issued against him. LOC can be withdrawn by the authoritythat issued and can also be rescinded by the trial court where case is pending or havingjurisdiction over concerned police station on an application by the person concerned.

D. LOC is a coercive measure to make a person surrender to the investigating agency orCourt of law. The subordinate courts' jurisdiction in affirming or cancelling LOC iscommensurate with the jurisdiction of cancellation of NBWs or affirming NBWs."

144. The disposal of a writ petition with a direction to approach the forum issuing LOC or undertaking an investigation, is not a rejection of the petitioner's grievance on merits but a recognition of the institutional design of the LOC regime, which contemplates a layered grievance-redressal mechanism. The four petitions dealt with hereinbelow fall squarely within this category.

(xxii). W.P.(C) 17646/2022 AND 17647/2022

145. These two connected petitions have been filed by Shri Neeraj Singal (W.P.(C) 17647/2022), the erstwhile promoter, Vice Chairman and, and Managing Director of M/s Bhushan Steel Ltd. ("**BSL**"), and Smt. Ritu Singal (W.P.(C) 17646/2022), his wife, both seeking directions to the Bureau of Immigration, CBI, ED and SFIO to disclose and place on record the LOC(s), if any, issued against them, and in the event any LOC is found to be subsisting, to quash the same.

146. The petitioner in W.P.(C) 17647/2022 was the erstwhile promoter, Vice Chairman and Managing Director of BSL. Pursuant to

proceedings under the Insolvency and Bankruptcy Code, 2016, the CIRP of BSL commenced on 26.07.2017 and the company was subsequently acquired by Tata Steel *vide* order dated 15.05.2018 passed by the NCLT, whereafter the petitioner ceased to be associated with BSL. The petitioner in W.P.(C) 17646/2022 is the wife of the petitioner in W.P.(C) 17647/2022 and has been a housewife throughout, with no involvement in the day-to-day affairs of BSL.

147. Three criminal proceedings are pending against the petitioner in W.P.(C) 17647/2022, them being:

a. CBI FIR bearing RC No. AC-1/2014/A0004, registered on 01.08.2014, in which chargesheet was filed on 30.09.2015 and the matter is currently at the stage of prosecution evidence before the Ld. Special Judge (CBI), Rouse Avenue Courts;

b. SFIO Complaint CC No. 770/2019, wherein the petitioner has been arrayed as Accused No. 159, currently pending at the stage of Section 207/208 CrPC before the Ld. Special Court (Companies Act), Dwarka; and

c. ED ECIR/DLZO-II/06/2019, in which properties worth Rs. 61.38 crores have been provisionally attached *vide* PAO No. 13/2021 dated 08.11.2021, which has been stayed by this Court vide order dated 28.07.2022 in W.P.(Crl.) 11250/2022;

148. As regards the petitioner in W.P.(C) 17646/2022, she has been

arrayed as Accused No. 210 in the SFIO Complaint CC No. 770/2019 and is also named in the ED ECIR/DLZO-II/06/2019, solely on account of being the wife of the principal accused.

149. The petitioner in W.P.(C) 17647/2022 has been granted bail in the CBI matter *vide* order dated 27.09.2014, with bail conditions subsequently modified vide order dated 27.01.2016 by the Ld. CBI Court, requiring only 3 days prior intimation to the court before travellingabroad along with furnishing of a complete itinerary and an FDR of Rs. 5 lakhs. The same travel conditions were adopted for the SFIO bail granted by this Court *vide* order dated 29.08.2018 in W.P.(Crl.) 2453/2018, confirmed by the Supreme Court *vide* order dated 04.09.2018 in Criminal Appeal No. 1114-1115/2018. During the pendency of the CBI matter, the petitioner has travelled abroad on 15-20 occasions with the permission of the Ld. Special CBI Court and has returned on each occasion without fail, in strict compliance with the conditions imposed.

150. Both petitioners were constrained to address a Representation dated 29.09.2022 to the Bureau of Immigration, CBI, ED and SFIO seeking disclosure of the LOC(s), if any, issued against them and seeking their withdrawal. However, no response has been received from any of the concerned authorities to the said representation till date.

(xxiii) W.P.(C) 1755/2023

151. The present petition has been filed by the petitioner seeking

suspension of the LOC(s) issued against him and permission to travel abroad. The petitioner is the founder and erstwhile Promoter of M/s Su-Kam Power Systems Pvt. Ltd. ("**Sukam**"), which had availed credit facilities from a consortium of lenders.

152. The accounts of Sukam were declared as fraud by the Respondent Banks, pursuant to which a complaint was lodged with the CBI, and an FIR bearing No. RC2202021E0001 dated 22.01.2021 came to be registered by the CBI against the petitioner.Upon conclusion of investigation, a chargesheet has been filed by the CBI and the same is presently pending consideration before the Court of competent jurisdiction.

(xxiv) W.P.(C) 18812/2025

153. The present petition has been filed by the petitioner challenging the LOC issued against him at the instance of CBI. The petitioner is a tours and travels consultant running a proprietorship concern under the name "*Dharmvir Consultancy*" registered as a Micro Business Entity under the Micro Small and Medium Enterprises Development Act, 2006 ("**MSMED Act, 2006**").

154. The CBI is conducting investigation in Case No. RC2312022S0003 in which the petitioner was summoned *vide* notice dated 13.09.2025 and duly appeared on 15.09.2025, appearing to fully cooperate with the investigation. Upon conclusion of investigation, a chargesheet has been filed by the CBI and the same is presently pending consideration before the Court of competent jurisdiction.

155. The common thread running through all four petitions in this category is that, in each of the four petitions before the Court in this category, a chargesheet has been filed by the CBI or other investigating agency before a Court of competent jurisdiction, and the matters are pending adjudication before the respective trial courts.

156. In such circumstances, the settled legal position as laid down in ***Sumer Singh Salkan*** (supra) makes it clear that the appropriate remedy for the petitioners is not to approach the writ court for quashing of the LOC, but to approach the trial court before which the chargesheet is pending, which has full jurisdiction to modify or cancel the LOC upon an appropriate application. The Trial Court is already seized of the matter and is best equipped to assess the necessity and proportionality of the LOC with the benefit of the complete investigative record.

157. It is further noted that in W.P.(C) 17647/2022, the petitioner has already been granted modified bail conditions by the Ld. CBI Court permitting him to travel abroad upon 3 days prior intimation, and has in fact travelled abroad on 15-20 occasions during the pendency of the proceedings before the trial court. In such circumstances, it is the trial court that is the appropriate forum to address any grievance regarding the LOC, and this Court does not find it necessary to exercise its writ jurisdiction at this stage.

158. Similarly, in W.P.(C) 1755/2023 and W.P.(C) 18812/2025, since chargesheets have been filed and the matters are pending before the Courts of competent jurisdiction, the petitioners are best advised to

approach those Courts for appropriate relief.

159. In view of the foregoing, the present petitions are disposed of with the following directions:

a. The writ petitions are disposed of with liberty to the respective petitioners to approach the Court of competent jurisdiction before which the chargesheet/complaint is pending, seeking modification or cancellation of the LOC, as the case may be;

b. The concerned Courts shall consider such applications expeditiously and in accordance with law; and

c. It is made clear that this Court has not expressed any opinion on the merits of the LOC or the underlying criminal proceedings, and the disposal of these petitions shall not prejudice the rights of any party before the trial court.

D. CONCLUSION

160. In view of the foregoing discussion and the reasons recorded hereinabove, all the writ petitions listed herein, being **W.P.(C) 7348/2023, W.P.(C) 16550/2023, W.P.(C) 7484/2023, W.P.(C) 8252/2024, W.P.(C) 549/2025, W.P.(C) 1304/2025, W.P.(C) 4612/2025, W.P.(C) 4310/2026, W.P.(C) 5086/2026, W.P.(C) 4066/2026, W.P.(C) 5126/2026, W.P.(C) 1196/2026, W.P.(C) 9610/2023, W.P.(C) 3904/2025, W.P.(C) 11461/2025, W.P.(C)**

11972/2025, W.P.(C) 10895/2023, W.P.(C) 1942/2023, W.P.(C) 1962/2023, W.P.(C) 950/2025, W.P.(C) 16610/2024, W.P.(C) 8859/2025, W.P.(C) 4065/2025, W.P.(C) 1875/2025, W.P.(C) 19065/2025, W.P.(C) 15146/2025, W.P.(C) 14518/2024, W.P.(C) 2799/2026 and W.P.(C) 4065/2025, stand disposed of along with all pending applications in the above terms. The Impugned Look Out Circulars issued against the respective petitioners in each of the aforementioned writ petitions are, hereby, set aside and quashed.

161. So far as **W.P.(C) 17646/2022, W.P.(C) 17647/2022, W.P.(C) 1755/2023 and W.P.(C) 18812/2025** are concerned, the petitioners in the said writ petitions are relegated to the appropriate forum to seek relief in accordance with law. It is clarified that this Court has not expressed any opinion on the merits of the claims of the said petitioners, and it shall be open to them to avail such remedies as may be available to them in law. The said writ petitions, along with all pending applications, stand disposed of accordingly.

PURUSHAINDRA KUMAR KAURAV, J

APRIL 17, 2026
aks/p/sh/da/nk