



\$~67 & 69

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

+ W.P.(C) 6623/2024 & CM APPL. 27564/2024,

SH. SAHIL CHUGH

..... Petitioner

Through: Mr. Kunal Sachdeva and Mr. Aashish
Arya, Advocates.

versus

UNION OF INDIA & ORS.

..... Respondents

Through: Mr. Anurag Ahluwalia, CGSC with
Mr. Tarveen Singh Nanda, GP and
Mr. Abhay Singh, Advocates for R-1,
3 & 4.

Mr. Arun Aggarwal, Mr. Shivam
Saini and Mr. Praful Rawat,
Advocates for R-2.

+ W.P.(C) 6665/2024 & CM APPLs. 27716/2024, 27717/2024

SH. MEHUL KUMAR CHUGH

..... Petitioner

Through: Mr. Kunal Sachdeva and Mr. Aashish
Arya, Advocates.

versus

UNION OF INDIA & ORS.

..... Respondents

Through: Mr. Amit Tiwari, CGSC with Mr.
Hussain Taqvi, Advocate for UoI.

Mr. Vedansh Anand, GP for UoI.

Mr. Arun Aggarwal, Mr. Shivam
Saini and Mr. Praful Rawat,
Advocates for R-2.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

13.05.2024

%

1. The instant writ petitions have been filed seeking quashing of the
Look Out Circulars (LOC) opened against the Petitioners at the behest of



Bank of Baroda.

2. It is stated by the learned Counsel for the Petitioners that other than inability to pay the debts, there are no criminal proceedings pending against the Petitioner. He places reliance upon various judgments passed by this Court stating that mere inability to pay debts cannot be a ground to open LOC and that it does not amount to affect the economic interests of India.
3. Learned Counsel for the Petitioners also places reliance upon a Judgment passed by the High Court of Bombay in “Viraj Chetan Shah v. Union Of India & Anr & Connected Matters, W.P. (C) 719/2020 wherein the very power to open LOCs at the behest of banks has been quashed.
4. Issue notice.
5. Learned Counsel appearing for the Respondents accept notice.
6. Reply(s), if any, be filed before the next date of hearing.
7. List on 28.05.2024.

CM APPL. 27565/2024 in W.P.(C) 6623/2024

CM APPL. 27717/2024 in W.P.(C) 6665/2024

1. These applications have been filed by the Petitioners seeking permission to travel to Dubai from 10.05.2024 to 18.05.2024 for business purpose.
2. In view of the fact that the Petitioners are going on 15.05.2024, the LOCs are suspended till 25.05.2024. The Petitioners are permitted to travel to Dubai from 10.05.2024 to 18.05.2024, subject to the following conditions:
 - i) The Petitioners shall furnish a security of Rs.10 lakhs each to the satisfaction of the learned Registrar. The said security in the form of an FDR shall remain valid till further orders of this Court.



- ii) The Petitioners shall furnish a detailed affidavit disclosing detailed itinerary, including their stay at various stations abroad, telephone numbers and residential/hotel addresses. The Petitioners shall also file an undertaking that they shall adhere to the itinerary mentioned in the affidavit and will not visit any other stations.
 - iii) The Petitioners will also provide the contact numbers they will be using during the period they stay abroad, and at least one of the said contact numbers will be kept operational at all times, subject to all exceptions, including the period they are on board the aircraft.
 - iv) The Petitioners shall intimate the Court and Respondents before leaving and within 72 hours of their return from abroad. The Petitioners shall return to India not later than 18.05.2024.
 - v) The Petitioners shall file a self- attested copy of their passport along with a copy of visa in the Court on their return to India.
 - vi) The permission to travel abroad given in this order shall be subject to other applicable conditions, and will not be deemed as a direction to any other authority.
 - vii) In case any of the above conditions are violated, the security will be forfeited.
3. The application is disposed of.
4. List before Registrar on 14.05.2024.

SUBRAMONIUM PRASAD, J

MAY 13, 2024

S. Zakir