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

CNR No. DLHC010112992026

+ **W.P.(CRL) 953/2026, CRL.M.A. 9007/2026**

HARINDER DAHIYA

.....Petitioner

Through: Mr. Shri Singh, Sr. Adv. along with
Mr. V. P. Singh, Mr. Priyank Ladoia,
Mr. Kshitiz Rao, Mr. Arjun Narang,
Ms. Puneet Dhanoa and Ms. Ananya
Singh, Advs.

versus

DIRECTORATE OF ENFORCEMENT & ANR.Respondents

Through: Mr. Vivek Gurnani, Panel Counsel
and Mr. Kanishk Maurya, Adv. and
Mr. Ch. Abhinandan Patra, Advs. for
ED.
Mr. Ripu Daman Bharadwaj, CGSC
for UOI.

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

% **06.10.2026**

CRL.M.A. 27736/2026 (seeking permission to travel abroad, release of
passport and suspension of LOC)

1. The present petition assails the order dated 19.03.2026 of the learned ASJ-04, Patiala House Courts in Ct. Case No. 23/ 2017 (now renumbered as Ct. Case No. 102/2023), rejecting the petitioner's prayers for setting aside of the Look Out Circular ("LOC"), permission to travel abroad and release of his passport. That application had been filed pursuant to the order dated 25.02.2026, whereby Crl.M.A. 3669/2026 in Crl.M.C. No. 1/2024 seeking similar permission was dismissed as withdrawn "with liberty to approach the learned Trial Court".



2. By way of the present application, the petitioner seeks permission to travel to Bangkok, Thailand from 12.10.2026 to 15.10.2026 for official meetings concerning, *inter alia*, statutory audit matters, audit and control transformation, litigation, business and finance strategy of his employer i.e. Vivo Mobile India Private Limited (“Vivo India”). Further, the petitioner also seeks release of his passport lying deposited with the learned Trial Court and suspension of the LOC opened against him by respondent no.2 at the behest of respondent no.1 for that period. The itinerary, flight and hotel details for the aforesaid duration have been placed on record.

3. It is the petitioner’s case that, on 21.12.2023, the petitioner was arrested by respondent no.1 under Section 19 of the Prevention of Money Laundering Act, 2002 (“PMLA”). Thereafter, *vide* order dated 30.12.2023, the learned Vacation Judge, ADJ-03, Patiala House Courts, New Delhi declared the arrest illegal and directed his release, *inter alia*, on condition that he would not leave India without permission and would deposit his passport, which he did on 02.01.2024.

4. *Vide* order dated 03.01.2024 passed by this Court in CrI.M.C. No. 1/2024, it was observed as under:

11. In the meantime, this Court directs that the accused persons will not leave the country without permission of this Court and an affidavit in this regard will also be filed by tomorrow i.e. 04.01.2024.

5. Learned counsel for the petitioner submits that the petitioner is a Senior Director, Finance and Accounts of Vivo India, residing in his own house in Gurugram with his wife and minor son; that he appeared before respondent



no.1 on 13 occasions before his arrest, including after the arrest of co-accused persons on 10.10.2023, and on over 139 occasions in totality; and that no breach of any condition is alleged against him.

6. The petitioner relies upon an order dated 20.02.2026 passed by the Supreme Court in *Nitin Garg v. Union of India*, in SLP (Crl.) No. 17286/2025, whereby the Court permitted a co-accused to travel abroad.

7. Respondent no.1 opposes the present application contending that the petitioner, as Director and CFO of Vivo India, played a crucial role in the alleged siphoning of proceeds of crime (stated to be about Rs. 20,241 crores) that the direction dated 03.01.2024 in Crl.M.C. No. 1/2024 subsists and cannot be bypassed; that the meetings can be attended virtually; and that the travel application of co-accused Guangwen Kuang @ Andrew Kuang was dismissed by this Court *vide* order dated 09.07.2026.

8. Considering the totality of circumstances, this Court is inclined to grant the permission sought, subject to certain conditions.

9. It is noticed that the direction dated 03.01.2024 passed by this Court in Crl.M.C. No. 1/2024 does not impose an absolute restraint upon the petitioner from travelling abroad, but requires prior permission of this Court. The said direction, therefore, operates as a safeguard to secure the Petitioner's availability during the pendency of the proceedings and cannot, by itself, be construed as an absolute embargo on travel.

10. Significantly, thereafter, *vide* order dated 25.02.2026, the Court granted liberty to the petitioner to approach the learned trial Court for permission to travel, pursuant to which the present proceedings have arisen.

11. There is no dispute that the right to travel abroad forms part of the personal liberty guaranteed under Article 21 of the Constitution. As observed



by the Supreme Court in **Satish Chandra Verma v. Union of India**, 2019 SCC OnLine SC 2048, the right to travel abroad is an important basic human right.

12. Moreover, the exercise of this right can be regulated to ensure the availability of the accused and the proper conduct of the proceedings. Such regulation, however, must bear a reasonable and proportionate relationship to the purpose sought to be achieved. In **Parvez Noordin Lokhandwalla v. State of Maharashtra**, (2020) 10 SCC 77, relied upon by respondent no.1 itself, the Supreme Court has emphasised that conditions imposed upon an accused cannot be disproportionate to the need to secure his presence, facilitate the investigation and ensure a fair trial. The Court observed as under:

“22. ... The human right to dignity and the protection of constitutional safeguards should not become illusory by the imposition of conditions which are disproportionate to the need to secure the presence of the accused, the proper course of investigation and eventually to ensure a fair trial. The conditions which are imposed by the court must bear a proportional relationship to the purpose of imposing the conditions.”

13. In the present case, the petitioner herein is an Indian citizen with his family, home, employment and assets in India. The record of compliance of the petitioner with the summons/ directions issued to him by the respondent no.1 for approximately the previous three years is unblemished.

14. It is further noticed that the travel sought to Bangkok, Thailand in the present application is for a short duration of four days and is in furtherance of his employment. It is contended by the petitioner that his absence thereof would prejudice his livelihood.

15. The liberty to travel sought by the petitioner has to be tested on the anvil of whether the petitioner's presence can be secured in the ongoing



criminal proceedings.

16. The order dated 09.07.2026 in the case of Guangwen Kuang @ Andrew Kuang does not assist respondent no.1, since the said order (i) rested on his foreign nationality; and (ii) the absence of an extradition treaty with China. However, the petitioner herein, is an Indian national travelling to Thailand, and his case stands on a different footing.

17. Learned counsel for the petitioner has handed over a list of immovable assets owned by the petitioner, which are stated to be unencumbered, and has offered to deposit their original title documents as security till his return to India. The said list of assets is as under :

Harinder Dahiya – Immovable Property Details			
Sr Number	Property Details	Address	Status
1	House	C/o Sh. Balalk Ram Dahiya, Gali No. 2, Panchwati Colony, Palwal, Haryana - 121102	Self occupied
2	Flat No. 1	Jemma 10, Ground Floor, Emaar Emerald Hills, Sector 65, Gurugram, Haryana - 122102	Self occupied
3	Flat No. 2	G-20, 4th Floor, Birla Navya – Drisha Pocket, Sector 63A, Gurugram, Haryana - 122102	Not in possession (under constructions)
4	Commercial office space	Unit No. B-301, Urban Square, Sector 62, Gurugram, Haryana - 122098	On lease
5	Agricultural land – 5 acres	Village Baithen, Chata, Uttar Pradesh - 281403	On agriculture lease
6	Agricultural land – 1.5 acres	Village Gailpur, Palwal, Haryana - 121102	On agriculture lease

18. Accordingly, the petitioner is permitted to travel to Bangkok, Thailand from 12.10.2026 to 15.10.2026, subject to the following conditions:



- (i) The petitioner shall furnish an undertaking to this Court before the date of travel that he will return to India after the expiry of a period of four days from 12.10.2026 i.e. on or before 15.10.2026 and that he shall be available on all dates of hearing before the trial Court unless specifically exempted from personal appearance;
- (ii) The petitioner shall deposit the original title documents of the immovable assets (as mentioned in the list provided by the petitioner), with the Registry of this Court, along with an affidavit that they are unencumbered and that no third-party rights shall be created therein until the petitioner's return;
- (iii) The petitioner shall furnish his itinerary, flight details, address of stay and contact number in Thailand to the investigating officer and to the learned trial court;
- (iv) The petitioner shall intimate his return to the Investigating Officer and the learned trial Court within 24 hours of his return, and shall appear before the learned trial Court on the next date fixed; the original passport shall be re-deposited within 24 hours of return.
- (v) The petitioner shall not contact any witness, tamper with evidence or do anything prejudicial to the proceedings; and
- (vi) The LOC shall remain suspended from 12.10.2026 to 15.10.2026 and shall revive automatically thereafter.

19. The respondent no.1 shall forthwith communicate this order to respondent no.2/ Bureau of Immigration.

20. These observations are confined to the present application and shall not



be construed as an expression on the merits of case.

21. The present application is disposed of in the above terms.

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22. List on 14.01.2027.

SACHIN DATTA, J

OCTOBER 6, 2026/ka/nb