



2026:DHC:8792



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* IN THE HIGH COURT OF DELHI AT NEW DELHI
% Date of Decision : 30.09.2026

CNR No.DLHC010473142026

+ CRL.M.C. 7378/2026, CrI.M.A.30837/2026, CrI.M.A.30838/2026

LUV BHARDWAJ

.....Petitioner

Through: Mr. Manohar Malik, Ms. Astha
Gumber, Advs.

versus

CENTRAL BUREAU OF INVESTIGATION

.....Respondent

Through: Mr. Ripudaman Bhardwaj (SPP)
along with Ms. Kritika Malok, Adv.
for CBI

CORAM:**HON'BLE MR. JUSTICE SACHIN DATTA****SACHIN DATTA, J. (ORAL)**

1. The present petition has been filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ("BNSS") seeking setting aside of the condition imposed upon the petitioner *vide* Para-7 (I) of the order dated 09.09.2026 passed by the Ld. Special Judge, CBI-19, (PC Act), RADC, New Delhi in CC No. 283/19. The said order reads as under: -

रविश कुमार पाण्डेय
RAVISH KUMAR PANDHEY
विशेष न्यायाधीश (पी.सी.एक्ट-19)
Special Judge (PC Act) (CBI-19)
कमरा नं. 602, 5वां मंजर
Room No. 602, 5th Floor
रौला आवासीय न्यायालय परिसर, नई दिल्ली
Rouse Avenue District Courts Complex, New Delhi

ANNEXURE P-1

CNR No. DLCT11-001523-2019
IA No.56/2026 & M-1324/26 in
CC No.283/19

**CBI Vs Texcomash International & Ors.
RC No.BDI/2011/E0002/BS & FC/CBI/New Delhi**

09.09.2026

This is an application filed on behalf of the accused / applicant Luv Bhardwaj seeking permission to travel to Istanbul, Turkey from 10.09.2026 to 15.09.2026 and to Paris, France from 15.09.2026 to 24.09.2026, received through Filing Counter.

Present : Sh. Tajvinder Singh, Ld. P.P. for CBI.
HIO/ SI Suraj Kumar in person.
Ms. Astha Gumber, Ld. Counsel for the applicant/
Accused No. 29 Luv Bhardwaj, **through V/c.**
Applicant / Accused No. 29 Luv Bhardwaj is absent.

1. Reply to the travel permission application of the applicant has been filed by the CBI through HIO/ SI Suraj Kumar. The same is taken on record. Copy of the same is supplied to the Ld. Counsel for the applicant (through Sh. Dewakar Vikram Singh, Ld. Proxy Counsel for applicant/ accused who is physically present in the Court).
2. Arguments heard.

Signature Not Verified

Digitally Signed
By: CHINU LUTHRA
Signing Date: 06.10.2026
14:11:56

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3 It is submitted on behalf of the applicant that applicant is on bail in the present case and next date of hearing in the present case is 27.10.2026. It is further submitted that applicant / accused has proposed to travel Istanbul, Turkey from 10.09.2026 to 15.09.2026 and to Paris, France from 15.09.2026 to 24.09.2026 on tourist VISA, so, the applicant may be permitted for the same. It is further submitted that on earlier

occasion also, the applicant was permitted by this Court vide order dated 06.07.2026. It is further submitted that appropriate conditions may be imposed upon the applicant and applicant / accused is ready to abide the same, so the applicant may be permitted to travel abroad for the period as prayed in the application.

4. It is submitted on behalf of the CBI that applicant may flee from the process of law and allegations against the applicant are serious in nature regarding the commission of economic offence. It is further submitted that the ground for which the applicant is seeking permission to travel abroad is not compelling in nature and previous permission as granted by the Court is not a sole ground to consider for fresh permission to travel abroad. The CBI has also relied upon certain judgments as mentioned in the reply of the application and submits that application of the applicant does not hold any merit and is liable to be dismissed.

5. I have considered arguments addressed from both the sides. I have also perused the record.



6. It is not in dispute that the applicant / accused A-29 Luv Bhardwaj is on bail in this case. The right to travel abroad is one of the facet of Right to Life and Personal Liberty as enshrined under Article 21 of the Constitution of India. The applicant/accused has been previously granted permission to travel abroad and he had abided with the terms and conditions imposed on him by the Court. Hence, the Court is of the view that there is no impediment in granting permission to the



applicant / accused Luv Bhardwaj to travel to Istanbul, Turkey from 10.09.2026 to 15.09.2026 and to Paris, France from 15.09.2026 to 24.09.2026 (this period includes the departure and arrival date of the applicant regarding his proposed travel).

7. Hence, considering the above noted facts and circumstances and submissions of both the parties, the application of the applicant / accused is allowed. **The applicant/accused no.29 Luv Bhardwaj is permitted to travel to Istanbul, Turkey from 10.09.2026 to 15.09.2026 and to Paris, France from 15.09.2026 to 24.09.2026, subject to following terms and conditions: -**



a) Before going abroad, the applicant/ accused shall file an affidavit giving the details and addresses of place(s) of his stay, duration of stay at each place (if different), local phone number of place of his stay where he can be contacted, if required, and his email address as well as Whatsapp number, with an undertaking that he shall receive/ accept summons/ notices/ processes issued by this court or the IO, if any, during the period, he is out of the country.

b) The applicant shall deposit an FDR in the sum of ₹15,00,000/- as security with an undertaking that he shall inform about his departure to the Court and arrival in India within a week, failing which the said amount shall stand forfeited without any further notice.



- c) The applicant shall not attempt to interfere with the further investigation in any manner whatsoever, if pending, and shall co-operate in consonance with law with the investigating officer in the further investigation of the case, if any pending, against him.
- d) The applicant shall return to India on the specific date of his return and shall not seek extension of the date of his return to India.
- e) The applicant shall be available through VC as and when required by IO or this Court.
- f) The applicant shall not delay the trial in any manner and shall also not dispute his identity and the proceedings conducted, if any, by this Court in his absence, in the presence of his counsel.
- g) The court may in its discretion cut short the period of stay abroad of the applicant/ accused and in such eventuality, the accused/ applicant would be required to appear before the Court as and when called by the Court.
- h) The applicant/ accused shall also furnish copy of travel tickets both to and fro, of his travel.
- i) The applicant/accused shall also file no objection of his surety in permitting him to visit abroad.
- j) The applicant/accused shall not attempt to seek citizenship or right of residence/ residency





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permits, in any foreign country, during the period of his travel abroad.

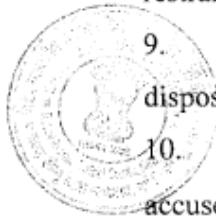
k) The applicant/ accused shall also not visit any other destination except the destination as mentioned above, during the said period.

l) The applicant/ accused shall not move similar application within six months from the date of this order except in the exceptional and compelling circumstances.

8. It is further clarified that this permission to travel abroad is restricted only to the present case and is subject to any other order/ direction of any other Court or competent authority restraining the applicant/accused from traveling abroad.

9. With these directions, the present application stands disposed off.

10. Copy of this order be given dasti to the applicant/ accused as well as CBI for information and necessary compliance.



Sd/-

(Ravindra Kumar Pandey)
Special Judge, CBI-19 (PC Act)
RADC/New Delhi/09.09.2026
New Delhi District Courts Complex, New Delhi

2. Vide the aforesaid order, the petitioner was permitted to travel to Istanbul, Turkey from 10.09.2026 to 15.09.2026 and thereafter to Paris, France from 15.09.2026 to 24.09.2026 subject to certain conditions.

3. The challenge by way of the present petition is confined to the restriction concerning the petitioner not moving a subsequent similar application within the next six months, except in exceptional and compelling



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circumstances. The permission which has been granted for the proposed journey is not in dispute. The petitioner has already undertaken the travel in terms of the permission granted *vide* the aforesaid order dated 09.09.2026.

4. It is submitted by learned counsel for the petitioner that the aforesaid condition inserted *vide* Para-7(l) of the order dated 09.09.2026 infringes upon the petitioner's fundamental rights under Article 21 of the Constitution of India. It is further pointed out that in the past when the petitioner has undertaken the travel, he has scrupulously complied with the directions issued by the learned Trial Court, and there is no warrant to impose the limitation of the kind as set out in Paragraph- 7(l) of the aforesaid order.

5. Mr. Ripudaman Bhardwaj, learned Standing Counsel appearing for the respondents submits that the restriction was justified and in the interest of ensuring the presence of the petitioner for the purpose of trial and therefore, cannot be faulted.

Analysis

6. The right to travel abroad undoubtedly forms part of the personal liberty guaranteed under Article 21 of the Constitution. However, the recognition of such right does not imply that an accused facing criminal proceedings has an unqualified right to travel abroad at any time and for a duration of his choice. Where criminal proceedings are pending against someone charged with serious charges, the right to travel has necessarily to be balanced against the requirement of securing the presence of the accused and ensuring that the proceedings are not impeded or delayed.

7. In ***Seesa Santosh v. State of Telangana***, 2026 SCC OnLine SC 1071, the Supreme Court, while considering the right of an accused to travel



abroad, has specifically emphasised that the right to travel, though a facet of personal liberty under Article 21, cannot be considered in isolation. The Court has held that a balance has to be maintained between individual liberty, the right to speedy trial and the larger societal interest in the effective administration of criminal justice. The Court has further recognised that the conduct of the accused is a relevant consideration while determining whether permission to travel abroad ought to be granted. The Court therein has observed as under:

*“10. An argument has been advanced on behalf of the respondent no. 2 that imposing a condition requiring deposit of his passport or mandating prior permission of the Court before travelling abroad would amount to an infringement of his fundamental right under Article 21 of the Constitution. Suffice it to observe that the right to a speedy trial is equally an integral facet of Article 21. While Article 21 undoubtedly guarantees the fundamental right to personal liberty, which includes the right to travel abroad, such right cannot be viewed in isolation. A balance must be struck between the individual liberty of the respondent no. 2 on the one hand and the right of the appellant to a speedy trial together with the larger societal interest in ensuring the effective administration of criminal justice, on the other. Reference may be made to the decision of this Court in *Rajesh Ranjan Yadav v. CBI*¹⁴ where this Court observed:*

16. We are of the opinion that while it is true that Article 21 is of great importance because it enshrines the fundamental right to individual liberty, but at the same time a balance has to be struck between the right to individual liberty and the interest of society. No right can be absolute, and reasonable restrictions can be placed on them. While it is true that one of the considerations in deciding whether to grant bail to an accused or not is whether he has been in jail for a long time, the court has also to take into consideration other facts and circumstances, such as the interest of the society.”

8. The aforesaid principle is of particular relevance in the present case. The petitioner is not aggrieved by denial of any travel permission sought by him. On the contrary, the trial Court has permitted the petitioner to travel to



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Istanbul and Paris for the period sought by him. The challenge is confined to the further condition that a similar application shall not be moved for a period of six months, save in 'exceptional' and 'compelling' circumstances.

9. Pertinently, the impugned condition does not impose an absolute embargo upon the petitioner's right to travel abroad. It regulates the manner in which a further request for such travel is to be considered during the stipulated period. The condition itself preserves the jurisdiction of the trial Court to consider a subsequent request where circumstances are shown to be exceptional and compelling. Thus, the petitioner has not been placed beyond the reach of judicial consideration; only successive applications for foreign travel as a matter of routine during the specified period has been restricted.

10. The record also discloses that the petitioner has been granted permission to travel abroad on several earlier occasions. The petition itself records successive journeys undertaken by the petitioner, including travel to Istanbul from 12.07.2026 to 20.07.2026, followed shortly thereafter by the travel which was the subject matter of the application decided on 09.09.2026.

11. The fact that the petitioner has duly complied with the conditions attached to his earlier permissions is undoubtedly a relevant consideration in his favour. However, such compliance cannot, by itself, confer an indefeasible entitlement to seek permission for foreign travel at successive intervals, especially when there are grave allegations of economic offences against the petitioner. Each request remains subject to the requirement of balancing the petitioner's personal liberty against the orderly progress of the criminal proceedings.



12. It is also significant that, while considering the application for travel, the respondent/ CBI had specifically opposed the same, *inter alia*, on the ground that the proposed travel was not shown to be compelling and that the grant of permission on previous occasions could not, by itself, constitute a ground for granting fresh permission. The trial Court, while accepting the petitioner's request to travel, nevertheless considered it appropriate to put in place safeguards governing the present journey. Those safeguards include the requirement of return on the specified date, availability through video conferencing, an obligation not to delay the trial and, in paragraph 7(l), the restriction on moving a similar application for six months except in exceptional and compelling circumstances.

13. In this backdrop, the impugned condition cannot be viewed in isolation from the permission which was granted. The trial Court has not denied the petitioner's liberty to travel; it has permitted the present travel while seeking to ensure that requests for repeated foreign travel do not become routine and incessant during the pendency of the trial. The stipulation is inherently limited and expressly carves out 'exceptional' and 'compelling' circumstances. The condition, therefore, leaves open the possibility of judicial consideration of a subsequent request where circumstances genuinely warrant such consideration.

14. The reliance placed by the petitioner upon **Satish Chandra Verma v. Union of India**, (2019) SCC OnLine SC 2048, does not advance the case beyond the proposition that the right to travel abroad constitutes an important facet of personal liberty, and is a fundamental right of the petitioner. Likewise, the principles concerning flight risk and evasion of the



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process of law, as noticed in *Sumer Singh Salkan v. Assistant Director*, 2010 SCC OnLine Del 2699, cannot be read to mean that those are the only circumstances in which the Court may regulate foreign travel.

15. The concern in the present case is not merely whether the petitioner is likely to abscond; it also concerns the orderly progress of ongoing criminal proceedings and the need to regulate repeated requests for absence from the jurisdiction of the Court.

16. Equally, the petitioner's submission that there has been no breach of any previous travel condition cannot, by itself, render the impugned condition impermissible. Past compliance is certainly a relevant circumstance while considering a request for travel, but it does not eliminate the Court's power to impose appropriate prospective safeguards. The Supreme Court in *Seesa Santosh* (supra) has recognised precisely such a balancing exercise between individual liberty and the effective administration of criminal justice.

17. The apprehension of the petitioner that the expression “exceptional and compelling circumstances” may be construed in an unduly restrictive manner is, at this stage, conjectural. The condition does not predetermine the outcome of any future application. If circumstances arise which, on their own facts, warrant travel during the stipulated period, it would remain open to the petitioner to place those circumstances before the trial Court, which would be required to consider the request in accordance with law.

18. The question before this Court is consequently not whether every proposed foreign journey of the petitioner during the next six months would necessarily be unjustified. The question is whether the trial Court, while



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permitting the present journey, could place a limited regulatory condition upon successive/repeated requests for foreign travel, having regard to the pendency of the criminal proceedings, the frequency of the earlier travel permissions, and the requirement of securing the petitioner's availability. In the facts of the present case, the answer is in the affirmative.

19. The impugned condition is thus neither an absolute prohibition upon foreign travel nor an extinguishment of the petitioner's right to approach the Court. It is in the nature of a limited regulation, operating for a specified period and subject to an express exception. No ground is, therefore, made out for interference with paragraph 7(l) of the order dated 09.09.2026.

20. In the above conspectus, this Court is not persuaded to grant the relief sought in the present petition. The petition is, accordingly, dismissed.

21. It is, however, clarified that the petitioner shall remain at liberty to approach the trial Court during the aforesaid period in the event of any circumstance arising which, according to him, warrants foreign travel within the stipulated period. Any such application shall disclose the circumstances necessitating the proposed travel and shall be considered by the trial Court in accordance with law and on its own merits

22. The petition is disposed of in the above terms. Pending applications also stand disposed of.

SACHIN DATTA, J

SEPTEMBER 30, 2026/*uk, ka*