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

+ W.P.(CRL) 227/2025

ARPAN GUPTA

.....Petitioner

Through: Mr. N. Hariharan and Mr. Sacchin Puri, Sr. Advocates with Ms Vanya Gupta, Ms. Punya Rekha Angara, Mr. Aman Akhtar, Ms. Vasundhara N., Ms. Vasundhara Raj Tyagi, Mr. Arjan Mandla, Mr. Lakshay Kaushik, Mr. Adeeb Ahmad, Mr. Shoaib Ikram, Mr. Ishan Parashar, Mr. Sunail, and Mr. Manish Dhankani, Advocates.

versus

DIRECTORATE OF ENFORCEMENT

.....Respondent

Through: Mr. Vivek Gurnani, Panel Counsel.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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12.05.2026

CRL.M.A. 13115/2026

By way of the present application filed under section 528 of the Bharatiya Nagarik Suraksha Sanhita 2023, the applicant/petitioner had sought permission to travel to Bali, Indonesia from 05.05.2026 to 10.05.2026, for which purpose the petitioner had also sought suspension of the Look-Out-Circular ('LOC') opened against him at the instance of the Directorate of Enforcement ('ED').

2. Notice on this application was issued on 27.04.2026.
3. Counter-Affidavit dated 04.05.2026 has been filed by the ED.
4. The court has heard Mr. N. Hariharan, learned senior counsel appearing for the petitioner; as well as Mr. Vivek Gurnani, learned Panel Counsel appearing for the ED at length.



5. Mr. Hariharan submits, that the petitioner is an entrepreneur and businessman, who works in the hospitality industry. A copy of the petitioner's business profile has been appended to the application.
6. Learned senior counsel argues, that though the petitioner had sought permission to travel from 05.05.2026 to 10.05.2026, since the ED's status report/counter-affidavit did not come on record on the last date of hearing *i.e.*, 04.05.2026, the petitioner has re-scheduled his travel dates and would now wish to travel from 14.05.2026 to 20.05.2026.
7. It is submitted, that the petitioner has been implicated in a matter with which he has no concern, merely because of his friend one Lakshay Vij, who was in the ED's custody is alleged to have been running hawala racket, facilitated by an illegal betting app *viz.*, Mahadev Betting App; and is facing allegations *inter-alia* of money laundering under the Prevention of Money Laundering Act, 2002.
8. It is pointed-out, that Lakshay Vij is claimed to be the main accused in the matter; but he has been admitted to regular bail *vidé* order dated 19.03.2025 passed by the learned Special Judge in the matter.
9. Mr. Hariharan argues, that a perusal of the counter-affidavit filed by the ED would show, that in essence and substance, the allegation against the petitioner is that Lakshay Vij was running illegal betting and hawala transactions through the petitioner, who (latter) is claimed to be running a fake call-centre and illegal betting operation and engaging in money laundering.
10. It is pointed-out that the ED also claims that the petitioner, who is a resident of Punjabi Bagh, New Delhi owns a fleet of luxury, foreign cars acquired through illicit money. Mr. Hariharan submits, that



proceedings on such vague allegations, the petitioner's residential premises were also raided by the ED.

11. Learned senior counsel submits however, that there is no cogent material available with the ED for implicating the petitioner in any of Lakshay Vij's affairs, except that the petitioner happens to be his friend.
12. Mr. Hariharan submits, that by way of the present petition, the petitioner had sought quashing of the LOC opened against him at the ED's instance; but by way of the present application, the petitioner is only seeking permission to travel to Bali, Indonesia for business purposes for just about 06 days, subject to such conditions that the court may impose; for which purpose, it is also prayed that the LOC opened against the petitioner be suspended.
13. On the other hand, Mr. Vivek Gurnani, learned Panel Counsel appearing for the respondent/ED has opposed the prayer made in the present application, submitting, that as narrated in their counter-affidavit, the petitioner has evaded 03 summonses issued to him by the ED, as detailed in para 23 of their counter-affidavit. Learned panel counsel submits, that when the ED raided the petitioner's residential premises, the petitioner had destroyed his mobile phone, which was recorded in the *panchnama*.
14. Mr. Gurnani states that the above notwithstanding, in view of what transpired in court at the hearing on 17.03.2025 in the present proceedings, the ED gave an assurance that they would not issue any fresh summons to the petitioner during the pendency of the connected writ petition bearing W.P.(CRL) No. 2580/2024. Furthermore, it is



pointed-out, that on the submissions of both parties, the court had also recorded that W.P.(CRL) No. 2580/2024 would be heard before the present petition *i.e.*, W.P.(CRL) No. 227/2025.

15. Mr. Gurnani submits, that investigation in the matter stands effectively stalled; and the petitioner poses a serious flight risk.
16. It has also been pointed-out on behalf of the ED, that on a prior occasion, the petitioner had sought permission to travel to Dubai for the purpose of his wife undergoing IVF treatment. The said request was under consideration of the learned Predecessor Bench, subject to the condition that the petitioner's wife should undergo certain preliminary medical tests in Dubai. However, as the record would show, the petitioner did not avail the said permission, and has, in effect, abandoned the request to travel to Dubai. This position is borne-out from a perusal of orders dated 25.02.2025 and 12.03.2025 passed by the learned Predecessor Bench in the present proceedings.
17. Upon a conspectus of the submissions made, the considerations that weigh with the court at this stage, are the following:
 - 17.1. Two writ petitions bearing W.P.(CRL) No. 2580/2024 and W.P.(CRL) No. 227/2025 are pending consideration before this court. In the first petition, the petitioner has challenged the search and seizure proceedings conducted at his premises; and in the second petition *viz.*, the present petition, the petitioner has sought cancellation of the LOC opened against him. As recorded in order dated 17.03.2025, the first petition is to be taken-up before hearing the present petition.



- 17.2. Despite the ED's allegation that the petitioner has evaded 03 summonses issued to him earlier, the ED has made a statement as recorded in order dated 17.03.2025 in the present proceedings, that they would not issue any fresh summons to the petitioner during the pendency of the first petition. Investigation in the matter is therefore not continuing, as of now. In view of their statement given to court, the ED has also not requisitioned the petitioner's presence at this stage.
- 17.3. As submitted by the ED, although earlier the petitioner had sought permission to travel to Dubai for his wife's IVF treatment, that permission was not pressed or availed and stands effectively abandoned, as is evident from orders dated 25.02.2025 and 12.03.2025 passed by the learned Predecessor Bench.
- 17.4. By way of the present application, the petitioner has sought permission to travel to Bali, Indonesia for about 06 days for business purposes. Though no specific meeting, conference or other scheduled appointment has been cited, it has been submitted on behalf of the petitioner, that he wishes to travel for business prospecting.
18. What emerges from the forgoing is, that at least as of now, the petitioner is *neither* an accused in the ECIR *nor* has his presence been requisitioned by the ED for purposes of investigation at this stage. Despite that, the petitioner's right to travel guaranteed under Article 21 of the Constitution remains suspended since the ED may require him



for investigation at some subsequent stage; and an LOC has been opened against the petitioner at the ED's instance.

19. On a balance of the foregoing considerations, this court is persuaded to allow the present application.

20. Accordingly, the petitioner – **Arpan Gupta s/o Shri Ramesh Gupta** is granted permission to travel to Bali, Indonesia *from 14.05.2026 to 20.05.2026* subject to the following conditions:

20.1. Before traveling abroad the petitioner shall furnish to the Investigating Officer (I.O.) his detailed itinerary; and in the event of any change in the itinerary, he shall inform the I.O. at least 03 days prior to changing his travel plans;

20.2. The petitioner shall furnish to the I.O. a personal bond in the sum of Rs. 50 lacs (Rs. Fifty Lacs Only) with 01 surety in the like amount from the petitioner's wife;

20.3. The petitioner shall also furnish to the I.O., the addresses and particulars of the places where he would reside in Bali, Indonesia and his contact numbers in those places;

20.4. The petitioner shall not travel to any country other than Indonesia;

20.5. While abroad, the Petitioner shall not apply for citizenship/residence status of any country; nor shall he renounce his Indian citizenship;

20.6. While abroad, the petitioner shall neither open nor close any bank account or business/entity in India, or in any other country;



- 20.7. While abroad, the petitioner shall not transfer, alienate or dilute his shareholding/ownership in any of the businesses in which he is shareholder/partner/proprietor;
- 20.8. While abroad, the petitioner shall neither meet nor communicate with any accused or witness in the case; and shall not make any attempt to influence any prosecution witness or to tamper with or destroy any evidence in the case; and
- 20.9. Within 48 hours of his return, the Petitioner shall inform the I.O. in writing about his arrival back in India.
21. Subject to the above, the LOC opened against the petitioner shall stand suspended *for the period 14.05.2026 to 20.05.2026*.
22. The I.O. is directed to communicate the present order to the concerned authorities.
23. The application is disposed-of in the above terms.
24. Let a copy this order be given *dasti* under the signatures of the Court Master.

W.P.(CRL) 227/2025

25. Re-notify on 22nd July 2026.
26. The date of 18.05.2026 given earlier stands cancelled.

ANUP JAIRAM BHAMBHANI, J

MAY 12, 2026

V.Rawat