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

% *Date of decision: 16th October, 2026*

\# **CNR No. DLHC010493812026**

\+ CRL.M.C. 7711/2026 & CRL.M.A. 32132/2026

32 NATASHA NARWAL .....Petitioner

Through: Mr. Adit S. Pujari, Mr. Chaitanya Sundriyal, Mr. Manvender Singh Shekhawat & Mr. Harshvardhan Pushkin Sharma, Advocates

versus

STATE NCT OF DELHI .....Respondent

Through: Mr. S.V. Raju, ASG with Mr. Madhukar Pandey, SPP and Mr. Ayodhya Prasad, Mr. Dhruv Pande, Mr. Aarush Bhatia, Mr. Saravjeet Singh, Ms. Ishika Singla, Advocates & Inspector Sushil Kumar and ASI Sanjay, Special Cell, NDR

\# **CNR No. DLHC010494012026**

\+ CRL.M.C. 7724/2026 & CRL.M.A. 32165/2026

33 NATASHA NARWAL .....Petitioner

Through: Mr. Adit S. Pujari, Mr. Chaitanya Sundriyal, Mr. Manvender Singh Shekhawat & Mr. Harshvardhan Pushkin Sharma, Advocates

versus

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STATE NCT OF DELHI .....Respondent

Through: Mr. Madhukar Pandey, SPP and Mr. Ayodhya Prasad, Mr. Dhruv Pande, Mr. Aarush Bhatia, Mr. Saravjeet Singh, Ms. Ishika Singla, Advocates and SI Saurabh.

CORAM:
HON'BLE MR. JUSTICE AMIT BANSAL

AMIT BANSAL, J. (Oral)

1. The present petitions have been filed seeking setting aside of the orders dated 6th October, 2026, passed by the ASJ (Special Judge), Shahdara District, Karkardooma Courts in Sessions Case 163/2020 and Sessions Case 354/2022, whereby the applications filed by the petitioner to travel to United Kingdom ('UK') from 2nd November, 2026 to 1st December, 2026, have been rejected.

2. The aforesaid two cases arise from the following FIRs:

i. FIR 50/2020 (now investigated by PS Crime Branch) registered under Sections 147, 148, 149, 186, 353, 283, 332, 333, 323, 307, 302, 427, 120B, 34, 188 Indian Penal Code; Sections 25, 27 Arms Act, 1959; and Sections 3,4 of Prevention of Damage to Public Property Act, 1984 registered with P.S. Jafrabad.

ii. FIR 59/2020 dated 6th March, 2020 registered under Sections 120B, 109, 114, 124A, 147, 148, 149, 153A, 186, 201, 212, 295, 302, 307, 341, 353, 395, 420, 427, 435, 436, 452, 454, 468, 471, 34 of the IPC; Sections 25 and 27 of the Arms Act, 1959 ('Arms Act'); Sections 13, 16, 17, 18 of the Unlawful Activities Prevention Act,

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1967 ('UAPA') and Sections 3 and 4 of Prevention of Damage to Public Property Act, 1984 registered with P.S. Special Cell.

3. In FIR No.50/2020 as referred above, the applicant has been granted bail by the Trial Court *vide* order dated 17th September, 2020. In FIR No.59/2020, the applicant has been granted bail by the Division Bench of this Court on 15th June, 2021. One of the conditions in the bail order passed by the Division Bench of this Court was that the petitioner shall surrender her passport before the Trial Court and shall not travel out of the country without prior permission of the Trial Court.

4. Mr. Adit S. Pujari, counsel appearing on behalf of the petitioner, submits that charges are yet to be framed in both the cases.

5. It is stated that after being granted bail, the petitioner began to pursue a PhD programme from School of Law, University of Warwick, UK. The petitioner has been admitted on 2nd October, 2023 in the PhD programme.

6. The petitioner's paper "*Gendered Carceral Labour as Social Reproduction*" has been accepted in the annual conference to be held at School of Oriental and African Studies, London from 5th November, 2026 to 8th November, 2026.

7. The passport of the petitioner has been deposited before the Trial Court. The petitioner moved an application before the Trial Court seeking permission to travel to United Kingdom from 2nd November, 2026 to 1st December, 2026 to attend the aforementioned annual conference and also to visit her University to meet with her PhD Supervisors. The said application was opposed by the respondent. The Trial Court *vide* impugned order dated 6th October, 2026, has dismissed the application filed by the petitioner

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primarily on the ground that there are serious allegations against the petitioner under the UAPA.

8. Mr. Pujari submits that the petitioner intends to travel to United Kingdom purely for academic pursuits as the petitioner's research paper is to be presented before an International conference and also to meet her PhD Supervisors at the University of Warwick, UK.

9. Attention of the Court has been drawn to letter dated 21st September, 2026, sent by her PhD Supervisors wherein the petitioner has been invited to present her work to the academic staff and post graduate researchers.

10. Mr. Pujari submits that the petitioner has deep roots in the society and undertakes that she will return back to the country on 2nd December, 2026. He submits that the brother of the petitioner, who resides in Haryana, is willing to stand as a surety.

11. Reply has been filed on behalf of the respondent opposing the request of the petitioner to travel abroad.

12. Mr. S.V. Raju, ASG appearing on behalf of the State, submits that the United Kingdom has very strict extradition laws and if the petitioner decides to seek asylum in the United Kingdom, it would be difficult to extradite her. Mr. Raju further submits that the academic purposes for which the petitioner seeks to travel to the United Kingdom can also be achieved virtually and therefore there is no need for the petitioner to travel to United Kingdom.

13. I have heard the counsel for the parties.

14. The Supreme Court in ***Maneka Gandhi v. Union of India***, (1978) 1 SCC 248, has held the right to travel abroad to be a facet of fundamental right to life and liberty guaranteed under Article 21 of the Constitution of India and that no person shall be deprived of the same except in accordance

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with the procedure established by law. The relevant paragraphs of the said judgment are set out below:

> "*174. I will now proceed to examine the provisions of Passports Act, 1967, to determine whether the provisions of the Act are in accordance with the procedures established by law:*
>
> *175. The preamble states that the Act is to provide for the issue of passports and travel documents to regulate the departure from India of citizens of India and other persons and for matters incidental or ancillary thereto.* ***It may be remembered that this Act was passed after the Supreme Court had held in Satwant Singh v. Union of India that the right to travel abroad is a part of person's personal liberty of which he could not be deprived except in accordance with the procedure established by law in terms of Article 21 of the Constitution.*** *The legislature came forward with this enactment prescribing the procedure for issue of passports for regulating the departure from India of citizens and others*"
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> [emphasis supplied]

15. It cannot be denied that the petitioner is pursuing her PhD for the last three (3) years at University of Warwick, UK which is a renowned University. Since her enrolment in 2023, till date the petitioner has been pursuing PhD programme virtually without making any request to travel to United Kingdom. The permission to travel to United Kingdom is sought at this stage when the PhD programme is at fag-end, in order to present her research paper and to meet her PhD Supervisors.

16. A perusal of the communication/letter dated 21st September, 2026, notes that her PhD Supervisors specially want her to appear in-person for the supervisory meetings and present her work to the academic staff and post graduate researchers and further take part in doctorate training on campus. The letter also indicates that the visit is necessary for academic purposes and for qualification of the thesis which the petitioner has to submit to obtain the

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PhD degree.

17. The aforesaid letter also notes that the research paper of the petitioner titled "*Gendered Carceral Labour as Social Reproduction*" has been accepted for presentation at an international conference to be held in London from 5th November, 2026 to 8th November, 2026 at School of Oriental and African Studies (SOAS), London. The relevant extracts of the said letter are set out below:-

> "*Ms. Narwal has been registered as a doctoral candidate on the PhD in Law programme at the University of Warwick since October 2023, that is, for approximately three years. Her academic progress has been formally reviewed at each annual milestone and has been assessed as satisfactory throughout; she has no outstanding academic or disciplinary matters with the University.*
>
> *Due to the specific circumstance, Ms. Narwal has undertaken her entire doctorate remotely from India.* ***The University now invites Ms. Narwal to visit the School of Law at the University of Warwick from 10th to 22nd November 2026. During that visit she will: (a) hold her first in-person supervisory meetings with us; (b) present her work in progress to academic staff and postgraduate researchers at the Law School; (c) take part in doctoral training and researcher-development sessions available only on campus; and (d) make use of the University library and any relevant archival collections like at the British Library which are only available offline****.*
>
> ***In our professional judgement as her supervisors, this visit is of material academic benefit to Ms. Narwal and to the quality of the thesis she will ultimately submit for examination. Throughout these three years Ms. Narwal has undertaken her entire doctorate remotely from India and has never been physically present at the University. All supervision, training and scholarly exchange have taken place by video conference and email. While this arrangement has permitted her to make good progress, it carries well-recognised limitations at doctoral level.***
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> *** *** ***
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> "***Ms. Narwal's paper, titled "Gendered Carceral Labour as Social Reproduction", has been accepted, following competitive peer review, for presentation at the Twenty-Third Annual Historical Materialism Conference, to be held from 5 - 8 November 2026 at the School of Oriental and African Studies (SOAS), Russell Square, London WC1, United Kingdom. The Historical Materialism conference is a long-established international academic conference convened annually in London in association with the***

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> ***journal Historical Materialism (Brill) and is among the most significant scholarly gatherings in its field. Acceptance of a paper by a doctoral candidate is a mark of academic distinction and a recognised contribution to the candidate's scholarly record."***
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> [emphasis supplied]

18. The trial against the petitioner is likely to take considerable amount of time to be completed. The petitioner has been granted bail since 2021 and it is not the case of the respondent that she has violated any of the conditions of bail.

19. The fact that the petitioner has been charged of serious offences under the UAPA does not curtail her right to travel abroad in a blanket manner.

20. The petitioner has roots in the society in as much as her close family resides in the National Capital Region (NCR).

21. Considering the aforesaid facts and circumstances, this Court is inclined to permit the petitioner to travel to United Kingdom *albeit* with suitable safeguards.

22. Accordingly, the petitioner is permitted to travel to United Kingdom from 2nd November, 2026 to 1st December, 2026 subject to the following conditions:-

i. An undertaking shall be furnished by the petitioner as well as her brother before the Trial Court, stating as under:

a. The petitioner will return back to India on 2nd December, 2026,

b. The petitioner shall not apply for asylum in the United Kingdom, and

c. The petitioner shall not make any comments on the merits of the ongoing cases against her during her stay in the United Kingdom.

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ii. The petitioner shall furnish a cumulative personal bond in the sum of Rs. 1,00,000/- in both the cases with the surety of her brother, to the satisfaction of the Trial Court.

iii. The petitioner shall also furnish a copy of her UK visa (as and when obtained), flight tickets as well as a detailed itinerary to the Investigating Officer before leaving India.

iv. The order passed by this Court shall accompany the application filed by the petitioner for grant of UK visa.

23. In light of the directions passed above, the Trial Court is directed to immediately release the passport of the petitioner.

24. The LoC, if any, in the name of the petitioner shall remain suspended for the aforesaid period of the petitioner's travel, i.e. from 2nd November, 2026 to 1st December, 2026.

25. The petitioner shall duly surrender her passport with the Trial Court within 48 hours of her return to India.

26. Accordingly, the present petition is allowed in the above terms.

AMIT BANSAL, J

OCTOBER 16, 2026
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