

**HIGH COURT OF TRIPURA
AGARTALA
Crl.Petn. 32 of 2024**

Smt. Ambalika Datta

.....Petitioner(s)

Versus

The State of Tripura

.....Respondent(s)

For the Petitioner(s)	:	Mr. K. Pandey, Advocate.
For the Respondent(s)	:	Mr. S.Ghosh, Addl. P.P.

**HON'BLE MR. JUSTICE T. AMARNATH GOUD
ORDER**

09.09.2024

This Present Petition has been filed under Section 482 Cr.P.C for setting aside/quashing the Order 23.04.2024 passed by the Learned Special Judge, Court No.4, West Tripura, Agartala in case No. Special P.C 04 of 2015 whereby the application of the petitioner for giving permission to the petitioner to travel to seattle, United States of America (USA 'for short') to meet with her only son was rejected.

[2] Heard Mr. K. Pandey, learned counsel appearing for the petitioner. Also heard Mr. S. Ghosh, learned Addl. P.P. appearing for the respondent-State.

[3] The case of the petitioner in brief, is that, the petitioner herein has been arrayed as an accused in connection with West Agartala PS case No. 2015 WAG 060 under Section 120B/409/468/471/477A/420 of IPC read with Section 13(2) 13(1) (c) and (d) of the PC Act. Thereafter, the Hon'ble High Court of Tripura in case No. BA 60 of 2015 by an order dated 07.08.2015 had allowed the bail application of the petitioner with certain conditions which were subsequently relaxed by this Hon'ble High Court wherein this Court observed that the petitioner shall no longer be necessary

to obtain permission of the appropriate court for leaving Tripura or to appear before the Ld Trial court on each and every date for hearing except as and when called upon to do so by the Ld. Trial Court. After that on 23.04.2024 the petitioner herein had filed an application before the Ld. Special Judge, Court No.4, West Tripura, Agartala for allowing her to travel to Seattle, USA to meet her only son, but the said application has been rejected observing that the Ld. Special Judge has no jurisdiction to entertain the application considering the fact that since 2015 the investigation is going on and the prosecution has failed to submit charge sheet.

[4] Being aggrieved and dissatisfied with the impugned order dated 23.04.2024 passed by the Ld. Special Judge, Court No.4, West Tripura, Agartala in case No. Special P.C 04 of 2015, the petitioner herein before this court.

[5] Mr. K. Pandey, learned counsel for the petitioner submits before this Court that since the year 2015 the investigation of the case is going on and till date charge sheet/final report has not been submitted by the Investigating officer and due to unnatural delay in completion of investigation the petitioner is prejudiced of meeting with her son at Seattle, USA. Mr. Pandey, learned counsel further submits that report of the SFSL was being received wherein it has been stated that someone has forged the signature of the present petitioner. He, therefore, prays before this Hon'ble Court to allow her client to visit USA for visiting her son.

[6] On the other hand, Mr. S. Ghosh, learned Addl. P.P appearing for the respondent-State submits before this Court that he has no objection regarding the travelling of the petitioner.

[7] In view of the above submissions, made by learned counsel appearing for both the parties, this present petition is disposed of permitting the petitioner to visit his son to USA with the approval of his employer while following the due formalities.

With the above observation and direction, this present Criminal Petition stands allowed and thus disposed of. As a sequel, miscellaneous application pending, if any, shall stand closed.



Paritosh

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SUHANJIT
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