

Milan Patel v. State of Himachal Pradesh

CrMP No. 4304 of 2026 in Cr.MP(M) No. 362 of 2024

01.10.2026 Present: Mr. Ashwani K. Sharma and Ms. Shivani, Advocates, for the applicant/petitioner.
Mr. Rajan Kahol & Mr. Vishal Panwar, Additional Advocates General and Mr. Ravi Chauhan & Mr. Anish Banshtu, Deputy Advocates General, for the non-applicant/respondent/State.
ASI Virender Kumar, OS Barotiwala, present with record.

By way of the instant application filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, permission has been sought by the applicant/petitioner to travel abroad i.e. **Dubai** for a business tour starting from 05.10.2026 to 10.10.2026.

2. In terms of the order dated 30.09.2026, Mr. Rajan Kahol, learned Additional Advocate General, has placed on record reply dated 30.09.2026 filed under the signature of the Superintendent of Police, Police District Baddi, wherein afore prayer made by the applicant/petitioner has been opposed on the ground that case is listed for consideration on charge on 14.10.2026 before the learned Additional Sessions Judge, Nalagarh, District Solan, Himachal Pradesh and it would not be in the interest of justice to permit the applicant/petitioner to travel abroad as the trial may be unnecessarily delayed.

3. Having heard learned counsel for the parties and perused the material on record, this Court finds that FIR No. 14/2024 dated 02.02.2024 under Sections 285, 336, 337, 338, 304-A, 308 and 304 Part-II of the Indian Penal Code and Section 92 of the Factories Act, 1948 was registered against the

applicant/petitioner at Police Station Barotiwala, District Solan, Himachal Pradesh, on the allegation that he being the owner of the company i.e. M/s NR Aromas, failed to take safety measures during a fire incident in the factory premises, as a result thereof nine persons lost their lives.

4. Petitioner along with other co accused filed bail applications and this Court vide order dated 12.7.2024 enlarged them on bail subject to following conditions:

- a. They shall make themselves available for the purpose of interrogation, if so required and regularly attend the trial Court on each and every date of hearing and if prevented by any reason to do so, seek exemption from appearance by filing appropriate application;
- b. They shall not tamper with the prosecution evidence nor hamper the investigation of the case in any manner whatsoever;
- c. They shall not make any inducement, threat or promises to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or the Police Officer; and
- d. They shall not leave the territory of India without the prior permission of the Court or I.O.”

5. It is not in dispute that in past also, this Court permitted the petitioner to go abroad subject to his joining investigation immediately after his coming back from abroad. There is nothing in the status report suggestive of the fact that in past despite there being orders passed by this Court, petitioner failed to join the investigation, rather there is ample material adduced on record suggestive of the fact that petitioner after his having returned from the abroad, not only intimated

the police station, but also made himself available for investigation.

6. Though, challan stands filed and matter is listed for consideration on charge on 14.10.2026, as has been stated in the reply, but having taken note of the fact that petitioner is necessarily required to attend the business conference in the countries, as detailed hereinabove, coupled with the fact that he has undertaken to make himself available for trial immediately after his coming back from the countries mentioned hereinabove, this Court sees no reason to deny the prayer made in the instant application.

7. Though, Mr. Rajan Kahol, learned Additional Advocate General, attempted to argue that in the event of permission being granted to the petitioner, he may not return to India, but such submission of him deserves outright rejection for the reason that besides having company in State of Himachal Pradesh, petitioner has also business and properties in other parts of the country i.e. Ratlam, Madhya Pradesh and he is alone visiting the country, whereas his entire family shall be in India during his foreign tour.

8. Consequently, in view of the above, present application is allowed and applicant/petitioner is permitted to travel **Dubai** w.e.f. 05.10.2026 to 10.10.2026, in relaxation of condition No. (d) imposed upon him by this Court in Cr.MP(M) No. 362 of 2024. Needless to say, petitioner after his return shall report at concerned police station within one week. Besides above, he would also make available complete address

with regard to his boarding and lodging i.e. addresses of the places where he shall be staying during his visit to Dubai by or before 04.10.2026. Any violation of instant order shall be viewed seriously, which may also compel this Court to order cancellation of bail granted in his favour. The application stands disposed of.

October 01, 2026
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(Sandeep Sharma),
Judge