

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CRIMINAL WRIT PETITION NO. 898 OF 2015

Kishor Mehta .. Petitioner

Versus

Rekha Sheth & Anr. .. Respondents

Mr. Abad Ponda a/w Hemant Ingle i/b Prashant Goyal, Advocate for the petitioner.

Mr. Rizwan Merchant with Ms. J. N. Shah i/b Daru Shah & Co., Advocate for the respondent No. 1.

Ms. V. S. Mhaispurkar, Advocate for the respondent-State.

CORAM:-M.L. TAHALIYANI, J.
DATED : -05/03/2015

P.C.

Not on board. Taken on board on being mentioned for production on the ground of urgency.

2 Heard learned counsel for the petitioner, learned counsel for respondent No. 1 and learned APP for the respondent-State.

3 After hearing the learned counsel and after having gone through the order in question, I am not inclined to set

aside the said order *inasmuch as* limited permission is given to respondent No. 1 to travel abroad for the period between 6th of March, 2015 to 16th of March, 2015. It is noted that respondent No. 1 is real sister of the petitioner. The respondent No. 1 is facing trial for the offences of forgery and cheating at the instance of the petitioner.

4 Mr. Ponda, learned counsel for the petitioner does not press for any other relief at this stage, in view of what has been expressed by the Court. However, he prays for expeditious hearing of Case No. 98/SW/2012. At this stage, I am informed that a writ petition is filed by respondent No. 1 for quashing the charge-sheet pending against her in the Court of Metropolitan Magistrate, 40th Court, Girgaon, Mumbai. Since the writ petition is pending, I am not inclined to pass any order for expeditious hearing. However, if any further development takes place, the petitioner shall be at liberty to move this Court or trial Court for expeditious hearing of the pending cases.

5 As far as the question of respondent No. 1 travelling abroad again is concerned, this Court cannot pass any order in advance. It is directed that the respondent No. 1 shall take permission from the trial Court, whenever she wants to travel abroad.

6 The petition stands disposed of.

(JUDGE)

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