

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPLICATION NO.1225 OF 2017
IN
CRIMINAL APPLICATION NO.555 OF 2017**

Poonam Jaidev Shroff

.... Applicant

versus

The State of Maharashtra

... Respondent

.....

- Mr.Swapnil Ambare, Ravi Surywanshi, Avdhoot Prabhu, Advocate for the Applicant.
- Ms.R.M. Gadhavi, APP for the State/Respondent.
- Mr.Maruti More, PSI, Khar Police Station, present.

**CORAM : SARANG V. KOTWAL, J.
DATE : 28th DECEMBER, 2017.
(VACATION COURT)**

P.C. :

1. The applicant is an accused in C.R.No.169/16 registered with Khar Police Station u/s 328, 323, 504 r/w 34 of IPC r/w 34 of IPC. The FIR was lodged at the instance of husband of the applicant. The applicant was granted anticipatory bail by learned Additional Sessions Judge vide his order dated 27/04/2016, in connection with the said offence

and one of the conditions imposed on the applicant was that the applicant should not leave India without prior permission of the Court. The charge-sheet is already filed. In these circumstances the applicant had preferred Criminal Application No.555/17 before this Court praying for permission to travel abroad in terms of proposed itinerary annexed to the said application. The said application was disposed of by this Court vide order dated 12/12/2017. The application was allowed in terms of the prayer clause (c) made in the said application and was permitted to travel abroad in terms of the proposed itinerary annexed to the said application. At that time, the applicant had intended to visit Dubai/Maldives/Mauritius/Europe with her minor daughter Ms.Rudritara Shroff.

2. The learned counsel for the applicant submits that the application for Visa was not made in time and they have not been communicated regarding grant or rejection of the Visa and therefore she has changed her plan to visit the

aforesaid countries and now wants to travel to Hong Kong for which she has already received confirmation of the Visa and therefore she seeks permission to visit abroad not at the aforementioned countries as permitted by the order dated 12/12/2017, but to Hong Kong.

3. When the order was passed in Criminal Application No.555/17, the learned counsel representing original complainant was present before the Court and had not raised any serious objection for the grant of relief in that application.
4. Heard the learned counsel for the applicant as well as the learned APP for State. The officer instructing learned APP is present in the Court. The respondent/State of Maharashtra has no objection for grant of relief in this application. Their only contention is that the Court should impose a condition on the applicant that on her return, she should deposit her passport with Khar Police Station.

5. Taking into consideration the order dated 12/12/2017 passed in Criminal Application No.555/17, by which, this Court has already granted permission to the applicant to travel abroad; the present application can be allowed. By the said order this Court has observed that the applicant should deposit the passport within a period of one week from 03/01/2018. In view of the intervening circumstances, in which the applicant could not visit those countries, I am inclined to extend the said period from 03/01/2018 to 07/01/2018.
6. The applicant is directed to deposit the passport till 10/01/2018 and she should return back on or before 07/01/2018.
7. The application is disposed of accordingly.
8. Parties to act upon the copy duly authenticated by the Court Sheristedar.

(SARANG V. KOTWAL, J.)