

Amk

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

WRIT PETITION NO. 2224 OF 2018

Shri Bhalchandra Khanderao Kango .. Petitioner
Vs.
The State of Maharashtra & Anr. .. Respondents

Mr. Akhilesh Dubey i/b Arun Nimbalkar for the Petitioners.
Ms. P. P. Shinde, APP for the Respondent-State.

**CORAM : V. L. ACHLIYA, J.
(VACATION COURT)**

DATE : 15th MAY, 2018.

P. C. :

1. By this Petition, the Petitioner has challenged the order dated 12.04.2018 passed by 10th Jt. Judicial Magistrate, F. C., Vashi thereby partly allowed the application.
2. Heard the learned Counsel for the applicant and the learned APP for the State.
3. The limited grievance raised in this Petition is that though the Petitioner has applied for grant of permission to travel abroad during the period 15.05.2018 to 24.05.2018 to Hungary and Estonia and from 01.06.2018 to 16.06.2018 to Sweden and Norway, the trial Court has allowed the application to the extent of granting permission to travel abroad during the period from 15.05.2018 to 24.05.2018. However no specific order passed in respect of the permission sought by applicant to

travel during the period 01.06.2018 to 16.06.2018 to Sweden and Norway. It is contended that as the application is partly allowed, it is to be treated that it is rejected to the extent the relief not granted.

4. The applicant is facing prosecution for committing offence punishable under Section 37(3) and Section 135 of the Maharashtra Police Act. It appears that the offences registered against the Petitioner are relating to breach of prohibitory order and that to participation in some agitation. In view of the nature of the offences charged against the Petitioner, there was no reason for the trial Court to refuse to accord permission as claimed by the applicant. The offences are bailable. In this view, the Petition is allowed to the extent of granting permission to the Petitioner to travel abroad i.e. Sweden and Norway during the period 01.06.2018 to 16.06.2018 in terms of application filed by the Petitioner.

5. The Petition stands disposed of in above terms.

[V. L. ACHLIYA, J.]