

Vidya Amin.

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

**CRIMINAL APPLICATION No. 529 OF 2018
IN
WRIT PETITION No. 3271 OF 2013**

Rampat Shambhu Gupta ... Applicant
vs.
The State of Maharashtra & Anr. ... Respondents

Mr. Rahul Tiwari, Advocate for the applicant.
Ms. Pallavi N. Dabolkar, APP for the respondent/State.

**CORAM: Mrs.MRIDULA BHATKAR, J.
DATED: 30th November, 2018**

P.C. :

This Criminal Application is moved by the applicant/accused, who is facing charges under sections 179, 188, 420 r/w. 34 of Indian Penal Code, for renewal of passport and also seeking permission to go abroad, as he wants to travel Jakarta on 8th December, 2018.

2. The learned counsel submitted that the accused has evaded entertainment tax worth of Rs.87,500/- and it was duly paid, however, he was prosecuted under the relevant offence in C.C. No. 2405/PW/2009. The learned counsel submitted that earlier thrice the applicant was granted permission by this Court to travel

to different countries and he has come back after following the conditions imposed by the High Court. The learned counsel submitted that the applicant has given travel schedule to Jakarta. The applicant will be leaving to Jakarta on 8th December, 2018 and will come back on 12th December, 2018. The learned counsel further submitted that the Regional Passport Office are not accepting the notice but have directed the applicant to Vanrai Police Station, Goregaon (East) where the offence against him is registered.

3. Learned APP submits to the order of the Court subject to necessary conditions and the applicant should report to the concerned police station after his return and also to furnish the schedule of travel.

4. Heard the submissions. Perused the earlier order dated 16th May, 2017 in Criminal Application No. 249 of 2017, order dated 30th November, 2017 in Criminal Application No. 516 of 2017 and order dated 21st May, 2018 in Criminal Application No. 198 of 2018. By these orders, the applicant was allowed to travel abroad by this Court. The applicant/accused has returned back after travel in all

the three instances. In view of this, the following order is passed:

- (i) Application is allowed;
- (ii) The applicant is permitted to travel Jakarta from 8th December, 2018 to 12th December, 2018 (both days inclusive);
- (iii) The applicant shall report the Investigating officer of his return from Jakarta on 14th December, 2018;
- (iv) The applicant may apply for renewal of passport and the Passport office may take necessary steps in respect of issuance of passport.

5. Parties to act upon the authenticated copy of this order.

(MRIDULA BHATKAR, J.)