

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

CRIMINAL WRIT PETITION NO.934 OF 2019

Dr.Kirtikumar Shah

... Petitioner

Vs

The State of Maharashtra

... Respondents

**With
CRIMINAL WRIT PETITION NO.935 OF 2019**

Dr.Kirtikumar Shah

... Petitioner

Vs

The State of Maharashtra

... Respondents

Mr.M.V . Thorat for the Petitioner in both petitions

Ms.Veera Shinde, APP, for the Respondent – State in
WP/934/2019

Mr.A.R. Patil, APP, for Respondent – State in WP/935/2019

**CORAM: Mrs.MRIDULA BHATKAR, J.
DATED: FEBRUARY 25, 2019**

P.C.:

1. Upon urgent mentioning, taken on Production Board.
2. These two criminal applications are filed by the petitioner for return of his passport and for permission to travel abroad i.e., United States of America from 20.2.2019 to 30.5.2019 for the

delivery of his daughter in law. The learned Metropolitan Magistrate, 47th Court, Esplanade, Mumbai, by his order dated 7.12.2019 rejected the M.A. Nos.215 of 2019 and 216 of 2019.

3. Heard the learned Counsel for the petitioner. Learned Prosecutor submits to the orders of the Court.

4. From the reports annexed herewith, it appears that the daughter in law of the petitioner is expecting her delivery on 7.3.2019. The petitioner is being prosecuted for the offences punishable under section 420 of the Indian Penal Code in M.E.C.R. No.444 of 2014. He is a Doctor by profession.

5. Considering the reason given by the petitioner, the petitions are allowed on the following terms:

- i) The petitioner is allowed to travel to United States of America from 20th February, 2019 to 30th May, 2019, however, he shall deposit in the trial Court a sum of Rs.1 lakh (Rupees One Lakh only) as security and after his return to India, shall report to the trial Court i.e., Metropolitan Magistrate, 47th Court, Esplanade, Mumbai on or before 10.6.2019.

ii) The petitioner shall furnish to the investigating agency his travel itinerary details, contact numbers and the residential address at the United States of America, where he will be residing.

iii) The petitioner shall take prior permission of the trial Court before travelling to any other country in future.

iv) The Economic Offences Wing, Unit 3, Mumbai is directed to return the passport of the petitioner.

6. Writ Petitions are disposed of accordingly.

(MRIDULA BHATKAR, J.)