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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 444 OF 2022

Praful Nanji Satra	...Petitioner
Versus	
The State of Maharashtra	...Respondent

Mr. Sujit Shelar i/b Mr. Bharat K. Gala for the Petitioner.

Ms. Anamika Malhotra, A.P.P for the Respondent-State.

Investigating Officer Ms. Priya Bagul, EOW, Mumbai.

CORAM : REVATI MOHITE DERE, J.
DATE : 23rd FEBRUARY, 2022

P.C. :

1. Heard learned Counsel for the parties.
2. By this petition, the petitioner seeks permission to travel to Cotonu (Republic of Benin, Africa) from 28th February, 2022 to 4th March, 2022.
3. Learned Counsel for the petitioner has relied on the invitation letter dated 24th January, 2022 sent by the Sholay Benin SARL.

4. Learned APP, on instructions, states that the said letter has been verified by the concerned officer and is found to be genuine. She further submits that 'C' summary report has been filed in the case filed against the petitioner, however, the same is yet to be accepted by the learned Magistrate.

5. It appears that M.E.C.R. bearing No. 5 of 2018 was lodged by one Mehul Shah alleging offences punishable under Sections 409, 420, 465, 467, 468 r/w 34 of the Indian Penal Code, as against the petitioner and others. The petitioner was granted pre-arrest bail vide order dated 5th July, 2021 by the learned Sessions Judge on certain terms and conditions. One of the terms was not to leave the country without the prior permission of the Court.

6. As the petitioner was desirous of travelling abroad, he filed an application seeking permission to travel abroad, however, the same was rejected by the trial Court vide order dated 8th February, 2022.

7. The invitation letter which is annexed at page 39 of the petition is found to be genuine by the concerned officer of the Police Station. It also appears that 'C' Summary report is filed in the said case, however, the same is yet to be accepted by the trial Court.

8. Considering that the petitioner intends to travel to Cotonu (Republic of Benin, Africa) for examining cashew nuts as the said country is one of the major exporters of cashew nuts, in connection with his business, the petition is allowed on the following terms and conditions:-

ORDER

- i) The petitioner is permitted to travel to Cotonu (Republic of Benin, Africa) during the period 28th February, 2022 to 4th March, 2022.
- ii) The petitioner shall furnish his itinerary and details of the places/addresses, where he will be residing during the aforesaid period, alongwith the telephone numbers, to the concerned Investigating Officer, before leaving India;
- iii) The petitioner to deposit Rs. 2,00,000/- in the Registry of the trial Court prior to his departure.
- iv) The petitioner shall inform the concerned officer of his return to the concerned officer of the concerned Police Station.

9. The petition is allowed and disposed of on the aforesaid terms.

10. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.