

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

CRIMINAL WRIT PETITION NO. 2606 OF 2022

Maitreya Doshi
Versus
Anand Rathi Global Finance Ltd And Anr.

...Petitioner
...Respondents

....

Ms. Gunjan Mangala a/w Ms. Dhanashree Jadeja a/w Mr. Arun Unikrushnan i/b Jadeja and Satiya, Advocate for the Petitioner.

Mr. Sushil Upadhyay i/b Mr. Prashant Upadhyay, Advocate for Respondent No.1.

Mr. M. G. Patil, APP for the Respondent – State.

CORAM : PRAKASH D. NAIK, J.
DATE : 28th SEPTEMBER, 2022.

PER COURT:

1. The Petitioner is aggrieved by condition stipulated in order dated 27th June, 2022 passed by learned Metropolitan Magistrate, Special Court for I.T.P.A., 54th Court at Mazgaon, Mumbai in order below Exhibit-1 in C.C. No.5401317/MISC/2022. It is submitted that as per clause 'd' of the operative part of order dated 27th June, 2022, the applicant is restrained from traveling abroad without permission of Court. The applicant is businessman and required to travel frequently and hence, the condition No. 'd' may be dispensed him.

2. Learned Advocate for the Respondent/Complainant submitted that, the presence of the applicant is necessary to proceed with criminal proceedings. The case relates to dishonour of cheque of about Rs.2,00,000,00/-.

3. It is noted that, the complaint for offence under Section 138 of the Negotiable Instruments Act has been filed against the Petitioner, his wife and the accused No.1 company. The applicant and his wife permanent residents of Mumbai. Condition No. 'd' stipulated in order dated 27th June, 2022 can be relaxed with an alternative condition that, whenever the applicant travels abroad, intimation about it be placed on record before the trial Court on the date of the hearing of the case.

ORDER

i. The condition 'd' stipulated in order dated 27th June, 2022 is modified by dispensing with condition to take permission of Court before travelling abroad with direction that, the Petitioner may travel abroad without such permission, but the details of his travels be placed on record of that Court on the

date of hearing of Case.

ii. Criminal Writ Petition No.2606 of 2022 is stands
disposed off.

(PRAKASH D. NAIK, J.)