

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

**CRIMINAL INTERIM APPLICATION NO. 3186 OF 2022
IN
CRIMINAL WRIT PETITION NO. 127 OF 2021**

Vinit Arvind Shah ...Applicant
VS.
1. The State of Maharashtra
2. Hemant Sahebrao Salunkhe ...Respondents

**ALONGWITH
CRIMINAL INTERIM APPLICATION NO. 3187 OF 2022
IN
CRIMINAL WRIT PETITION NO. 127 OF 2021**

Chintan Arvind Shah ...Applicant
VS.
1. The State of Maharashtra
2. Rajni Ganesh Bhise
3. The General Manager, HDFC Bank, Worli
4. H.D.F.C. Bank, Jamnagar Branch
5. The Manager of HDFC Bank , Ahmedabad ...Respondents

Mr. Hemant Ingale - Advocate for the Applicant
Mr. J. P. Yagnik - APP for the Respondent-State

**CORAM : REVATI MOHITE DERE &
S. M. MODAK, JJ.**

DATE : 27th SEPTEMBER, 2022

P. C. :-

1. By these applications, the applicants seek permission to travel abroad during the period from 30/09/2022 to 11/10/2022.

2. Learned Counsel for the Applicants submits that this Court had permitted the Applicants to travel overseas on two earlier occasions on certain terms and conditions as stipulated in the said Orders. In this connection, learned Counsel relied upon the Order dated 04/08/2022 passed by this Court which is at Exh. 'F' at page no. 32.

3. It is not in dispute, that the Applicants have travelled pursuant to the said Order dated 04/08/2022 and have complied with the terms and conditions stipulated in the said Order.

4. The present Applications have been filed, as the applicants intend to travel from 30/09/2022 to 11/10/2022 to Zanzibar, Tanzania and other cities. The itinerary is set out by the Applicants in their applications, at page no. 8.

5. Perused the Applications. Vide Order dated 04/08/2022, we have in detail considered the submissions

of the applicants and thereafter, permitted the applicants to travel overseas. Accordingly, we had suspended the LOC, during the period of said travel. LOC was issued as against the Applicants in C.R. No. 111 of 2019 as well as in C.R. No. 220 of 2018.

6. Learned APP for the Respondent-State states that they have no objection provided, the same conditions which were imposed by this Court vide Order dated 04/08/2022, are imposed.

7. Considering that we had permitted the Applicants to travel overseas earlier and that the Applicants have abided and complied with the said conditions so imposed, we allow both the aforesaid applications, on the following terms and conditions :-

:: O R D E R ::

- (i) The Applicants in both the aforesaid Applications are permitted to travel overseas from 30/09/2022 to 11/10/2022.

- (ii) The applicants, before their departure, to file an affidavit - cum - undertaking with the Registrar (Judicial - I), Appellate Side of this Court, giving full itinerary of their overseas travel with all details including the addresses where they would be staying, as well as their contact numbers on which they can be contacted, during the said period. A copy of the said affidavit - cum - undertaking shall also be furnished to the respondent No.1-EOW before the applicants' departure, by email/fax;
- (iii) The applicants shall in the affidavit - cum - undertaking undertake not to apply for extension of this order until they return to this Country; and that they will return to India, on or before their date of arrival in India;

- (iv) The Immigration Authorities on all points of departure, will permit the applicants to pass through immigration and to board their flight or flights, irrespective of whether the immigration system has been updated and whether the respondent No.1 has informed the Immigration Authorities or not;
- (v) The operation of the LOC issued against the applicants, in both the C.R's i.e. C.R. No.111 of 2019 and C.R.No.220 of 2018, registered initially with Kalyan Police Station and subsequently by EOW, Mumbai, is stayed during the said period i.e. between 30th September 2022 to 11th October, 2022;
- (vi) The Respondent No.1 -EOW to forthwith communicate this Order to the immigration authorities and in any event within 48 hours of this order being uploaded;

(vii) The applications are disposed of on the aforesaid terms;

(viii) All concerned to act on the authenticated copy of this order.

[S. M. MODAK, J.]

[REVATI MOHITE DERE, J.]