

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

WRIT PETITION NO.994 OF 2023

Anil Vasudev Khemani	]	.. Petitioner
Vs.		
1. State of Maharashtra,	]	
Through Bhadrakali Police Station, Nashik	]	
2. The Commissioner of Police,	]	
Nashik City, Dist. Nashik	]	.. Respondents

Mr. Vivek Punjabi for the Petitioner.

Mr. V.B. Kondedeshmukh, APP for the Respondent-State.

PI – Manohar Karande, EOW, Nashik City is present.

CORAM : SUNIL B. SHUKRE & ABHAY S. WAGHWASE, JJ

DATE : 20TH MARCH, 2023.

ORAL JUDGMENT : { Per Sunil B. Shukre, J. }

1. RULE. Rule made returnable forthwith. Heard finally by consent of learned counsel for the petitioner and learned APP for the respondent-State.

2. Mr. Manohar Karande, PI and Investigating Officer, of Economic Offences Wing, Nashik makes a statement before this court that if the petitioner's father voluntarily surrenders his own passport, the Investigating Officer will return the petitioner his passport, which has been taken in custody in FIR bearing Crime No.I-274 of 2022 registered with Bhadrakali Police Station, Nashik.

3. The condition imposed by the Investigating Officer is acceptable to the petitioner, as submitted by his counsel. We therefore direct the petitioner to make appropriate arrangement for voluntary surrender of the passport of his father upon an undertaking to be given by his father to the Investigating Officer. If this is done, we further direct the Investigating Officer to release to the petitioner the passport surrendered by him to Bhadrakali Police Station on a condition that the petitioner shall not leave Nashik District without prior permission of the Investigating Officer.

4. Petition is allowed accordingly and Rule is made absolute in the above terms. No costs.

[ABHAY S. WAGHWASE, J.]

[SUNIL B. SHUKRE, J.]