

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

CRIMINAL APPLICATION NO.89 OF 2023

Nimesh Subodh Dalal

...Applicant

Versus

The State of Maharashtra

...Respondent

...

Mr. Ayush Pasbola with Mr. Sankalp Vichare for the Applicant.

Mr. S.H. Yadav, APP for the Respondent-State.

Mr. Jayraj Bhatkar, API, EOW Housing -II, present.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 7th JUNE, 2023.

P. C. :-

1. The Applicant has sought return of Passport No.M0459181 dated 25/07/2014.

2. The Applicant had filed application for pre-arrest bail being Anticipatory Bail Application No.642 of 2018 apprehending his arrest in EOW C.R. No.72 of 2017 registered with EOW, Unit-II, Mumbai, for offences punishable under Sections 409, 420, 465, 467, 468 and 471 r/w 34 of the IPC. By order dated 13/04/2018 this Court had directed the Applicant and the co-accused to surrender their passport to the Investigating Officer. It is stated that pursuant to the said order the Applicant had surrendered his passport to the Investigating Officer. By

order dated 08/04/2022 the Applicant has been granted pre-arrest bail. It is stated that investigation has been completed and charge-sheet has been filed being R.C.C. No.368/PW/2022 pending on the file of learned 47th Metropolitan Magistrate Court, Esplanade, Mumbai.

3. Learned counsel for the Applicant states that passport of the co-accused has been released by this Court (Coram: Bharati Dangre, J.) vide order dated 14/06/2022. Learned counsel for the Applicant states that the Applicant does not intend travelling abroad and in the event, the Applicant wishes to travel abroad, he shall seek permission from the concerned Court. Statement accepted.

4. In the light of the said statement and considering the fact that the investigation has been completed, there is no impediment in returning the passport to the Applicant.

5. Hence, the application is allowed. The Investigating Officer is directed to return the passport to the Applicant within two weeks from the date of the order.

6. The application stands disposed of in above terms.

(SMT. ANUJA PRABHUDESSAI, J.)