

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

**INTERIM APPLICATION NO. 2001 OF 2023  
IN  
WRIT PETITION NO. 2679 OF 2022**

|                             |                 |
|-----------------------------|-----------------|
| Chintan Arvind Shah         | ...Applicant    |
| IN THE MATTER BETWEEN       |                 |
| Chintan Arvind Shah & Anr.  | ... Petitioners |
| Versus                      |                 |
| State Of Maharashtra & Anr. | ...Respondents  |

**WITH  
INTERIM APPLICATION NO. 2002 OF 2023  
IN  
WRIT PETITION NO.127 OF 2021**

|                                 |                |
|---------------------------------|----------------|
| Chintan Arvind Shah             | ...Applicant   |
| IN THE MATTER BETWEEN           |                |
| Chintan Arvind Shah & Anr.      | ...Petitioners |
| Versus                          |                |
| The State Of Maharashtra & Ors. | ...Respondents |

Mr. Hemant Ingle a/w. Adv. Pratik Ingle for the Applicant in both IA  
None for the Respondent No. 2 in both.  
Mr. J. P. Yagnik, APP for Respondent -State in WP/2001/2023.  
Ms. M. H. Mhatre, APP for the Respondent-State in WP/127/2021.

**CORAM : NITIN W. SAMBRE &  
SHARMILA U. DESHMUKH, JJ**

**DATED : 13<sup>th</sup> JUNE, 2023**

**P.C.:**

1. The Applicant was granted pre-arrest bail by the orders of this Court on 20/10/2022 in C.R. No. 111 of 2019 and on 17/11/2022 in C. R. No. 220 of 2018.

2. It is the case of the Applicant that his passport was seized by the investigating officer and as such he is not in a position to travel abroad.

3. In this background, it is claimed by the Applicant in paragraph no. 15 of the both the Applications that in view of the itineraries furnished, he be permitted to travel abroad from 17/06/2023 to 05/07/2023 to various places like Uzbekistan, Kyrgyzstan, Kazakhstan, Dushanbe, Turkey.

4. This Court vide order dated 14/07/2022 passed in IA/2225/2022, order dated 04/08/2022 passed in IA/2583/2022, order dated 27/09/2022 passed in IA /3186/2022, order dated 16/12/2022 passed in IA/4316/2022 and order dated 03/02/2023 passed in IA/426/2023 has permitted the Applicant to travel abroad. The operative part of the last order dated 03/02/2023 reads thus:

(i) The applicant-Chintan Arvind Shah is permitted to travel overseas i.e. to Brazil and Argentina from 17.02.2023 to 14.03.2023;

(ii) The applicant, before his departure, to file an affidavit -cum-undertaking with the Registrar (Judicial-I), Appellate Side of this Court, giving full itinerary of his overseas travel with all details including the addresses where he would be staying, as well as the contact numbers on which he can be contacted, during the said period. A copy of the said

affidavit-cum-undertaking shall also be furnished to the respondent No.1-Economic Offences Wing before the applicant's departure, by email/fax;

(iii) The applicant shall in the affidavit-cum-undertaking undertake not to apply for extension of this order until he returns to this Country; and that he will return to India, on or before his date of arrival in India;

(iv) The Immigration Authorities on all points of departure, will permit the applicant to pass through immigration and to board the 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 applicant, in C.R. No.220 of 2018, registered initially with Kalyan Police Station and subsequently transferred to the EOW, Mumbai, is stayed during the said period i.e. between 17.02.2023 and 14.03.2023;

(vi) The Respondent No.1 to forthwith communicate this order to the immigration authorities and in any event within 48 hours of this order being uploaded.

5. Learned APP has submitted that the appropriate order be passed in the matter.

6. Having regard to the fact that this Court has permitted the Applicant to travel abroad after he is charge-sheeted in the above referred crimes and he having honoured all the orders passed by this Court wherein the Applicant was permitted to travel abroad,

bonafide of the Applicant can be inferred in his favour.

7. Hence, both the Applications stand allowed.

8. The Applicant as such is permitted to travel abroad in tune with the itineraries furnished in paragraph no. 15 of the Interim Applications for a period from 17/06/2023 to 05/07/2023.

9. The applicant, before his departure, to file an affidavit -cum-undertaking with the Registrar (Judicial-I), Appellate Side of this Court, giving full itinerary of his overseas travel with all details including the addresses where he would be staying, as well as the contact numbers on which he can be contacted, during the said period. A copy of the said affidavit-cum-undertaking shall also be furnished to the respondent No.1-Economic Offences Wing before the applicant's departure, by email/fax.

10. The applicant shall in the affidavit-cum-undertaking undertake not to apply for extension of this order until he returns to this Country; and that he will return to India, on or before his date of arrival in India;

11. The Immigration Authorities on all points of departure, will permit the applicant to pass through immigration and to board the 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.

12. The operation of the LOC issued against the applicant, in C.R. No.220 of 2018, registered initially with Kalyan Police Station and subsequently transferred to the EOW, Mumbai, is stayed during the said period i.e. between 17/06/2023 to 06/07/2023.

13. Learned APP to communicate the order to the authorities.

**(SHARMILA U. DESHMUKH, J)**

**(NITIN W. SAMBRE, J.)**