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

**INTERIM APPLICATION NO. 2371 OF 2023
IN
CRIMINAL WRIT PETITION NO. 4765 OF 2021**

Shikha Kapadia

...Applicant

Versus

1. The State of Maharashtra
2. Union of India
3. Bureau of Immigration
4. Serious Fraud Investigation Office

....Respondents

Mr. Sohil Shah, Mr. Anant Tripathi and Ms. Nidhi Chaudhary i/b
Pioneer Legal for the Applicant
Mr. S. K. Halwasia a/w Ms. Divya Gontia i/b Mr. Pradeep Yadav for
Respondent Nos. 2 to 4
Mrs. P. P. Shinde, APP for the State

**CORAM : REVATI MOHITE DERE &
GAURI GODSE, JJ.**

DATE : 6th JULY 2023.

P.C. :

1. Heard learned counsel for the parties.
2. By this Application, the Applicant seeks permission to travel to Jersey and London in the United Kingdom from 15th July 2023 to 23rd

July 2023; to Jersey, United Kingdom from 20th September 2023 to 22nd September 2023, and to Manila, Philippines from 13th October 2023 to 20th October 2023.

3. Learned counsel for the Applicant submits that Applicant was permitted to travel earlier on 5 occasions to different countries by this Court, for business purpose on certain terms and conditions, stipulated in the order therein. Learned counsel relied on the said orders, annexed to the Application at Exhibit 'A' (Colly). Learned counsel for the Applicant further submits that the Applicant has been summoned by the Serious Fraud Investigation Office (SFIO) on 31st July 2023 and that the Applicant has already responded to the said summon and will be attending the SFIO office on 31st July 2023.

4. Mr. Halwasia, learned Additional Public Prosecutor appearing for the Respondent No. 4, submits that presently, the Applicant be allowed to travel only in July 2023 and that fresh applications can be filed for further travels in September and October 2023. Mr. Halwasia submits that the Applicant has been issued summons by the SFIO

office, New Delhi for her appearance on 31st July 2023 for investigation.

5. Perused the Application. The Applicant seeks permission to travel on the dates as stated aforesaid in July, September and October 2023, for business purpose. The Applicant is working as Corporate Vice President (Legal & Group Company Secretary) at WNS Global Services Private Limited. It appears that the Applicant, is required to travel to the aforesaid places on the aforesaid dates for business-related work and to carry out the responsibilities of the Company. It is not in dispute, that the Applicant has earlier travelled on 5 occasions, pursuant to the orders passed by this court. The said orders, as noted above, are annexed at annexure 'A' (Colly) to the Application. It is also not in dispute, that the Applicant has always attended the SFIO office, whenever summoned by the SFIO. Even now, the Applicant has undertaken to remain present in the SFIO office on 31st July 2023 pursuant to the summons issued by the SFIO.

6. Having heard the learned counsel for the parties, in the peculiar

facts of this case, we deem it appropriate to permit the Applicant to travel on the dates mentioned in paragraph 1 for business purpose, instead of requiring her to file Applications repeatedly. It is not in dispute, that the Applicant is based in Mumbai and is residing with her family and, as such, has roots in the society. Accordingly, Application is allowed, and the Applicant is permitted to travel on the following terms and conditions:

ORDER

I. Applicant is permitted to travel to Jersey and London in the United Kingdom from **15th July 2023** to **23rd July 2023**; to Jersey, United Kingdom from **20th September 2023** to **22nd September 2023** and to Manila, Philippines from **13th October 2023** to **20th October 2023**.

II. The Applicant, before her departure on all the three aforesaid occasions, to file affidavit-cum-undertaking with the Registrar Judicial-I, Appellate Side of this Court, giving details of the full itinerary of her overseas travel, including the address where she would be staying as well as the contact numbers where she can be contacted during the said period.

III. Copy of said affidavit-cum-undertaking shall also be furnished to the Respondent No. 4 before her departure, by E-mail/Fax.

IV. The Immigration Authorities, on all points of departure, to permit the Applicant to pass immigration and to board her flight/flights irrespective of whether the immigration system has been updated or whether the Respondent No. 4-SFIO has informed or not.

V. Operation of the LOC issued against the Applicant is stayed during the said period, i.e. from **15th July 2023** to **24th July 2023**; from **20th September 2023** to **23rd September 2023** and **13th October 2023** to **21st October 2023**.

VI. Respondent No. 4 SFIO to forthwith communicate this order to the Immigration Authority within 24 hours of this order being uploaded.

7. Liberty is granted to the Respondent No. 4-SFIO to move this Court in the event there is any change in circumstance, for modification of this order.

8. Interim Application is allowed and disposed of in the above terms.

9. All parties to act on authenticated copy of this order.

GAURI GODSE, J.

REVATI MOHITE DERE, J.