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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 2584 OF 2023

IN

CRIMINAL WRIT PETITION NO. 2410 OF 2023

Dr. Anuj Saxena

...Applicant

Versus

State of Maharashtra and Others

...Respondents

Mr. Dinesh Kumar Dubey a/w. Mr. Ravi Agarwal for the
Applicant/Petitioner.

Mr. V. B. Konde Deshmukh, APP for the State.

Mr. Shahajirao R. Shinde a/w. Ms. Divya G i/b. Mr. Pradeep Yadav for
Respondent Nos.2 and 3 – SFIO.

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

DATE : 20th JULY 2023

P. C. :

1. By this Interim Application, the applicant seeks the
following substantive relief :

*(a) This Hon'ble Court may be pleased to
suspend the LOC and permit the Applicant to
travel to Bangkok from 25th July, 2023 to 31st*

July 2023 thereafter to travel to Dubai from 24th August, 2023 to 1st September, 2023 and thereafter to travel to Mauritius from 27th September 2023 to 2nd October 2023 in the interest of justice.

2. Perused the papers. It appears that SFIO is investigating the case from 2019. Admittedly, the applicant has not been summoned even once, since 2019, in the said case, till date.

3. The applicant has been permitted to travel to Bangkok from 25th July 2023 to 31st July 2023 and thereafter to Dubai from 24th August 2023 to 1st September 2023 and to Mauritius from 27th September 2023 to 2nd October 2023, by the learned Additional Sessions Judge, City Civil Court, Greater Mumbai, vide order dated 13th July 2023 on certain terms and conditions stipulated in the said order. The applicant is unable to travel, despite the said permission granted by the learned Additional Sessions Judge, Greater Mumbai, in view of the LOC issued against the applicant at the behest of the SFIO.

4. Today, Mr. Shinde on instructions states that the applicants presence is not required during the said period i.e. period for which permission has been granted to the applicant, by the learned Additional Sessions Judge, Greater Mumbai to travel abroad.

5. Since several conditions have been imposed by the learned Additional Sessions Judge whilst permitting the applicant to travel vide order dated 13th July 2023, no further conditions are required to be passed in the present application.

6. Applicant to comply with the conditions imposed by the trial court vide order dated 13th July 2023.

7. Considering the aforesaid, we allow the application and suspend the LOC issued at the behest of respondent nos. 2 and 3 – SFIO, during the period from **25th July 2023 to 31st July 2023** for travelling to Bangkok; thereafter to Dubai from **24th August 2023 to 1st September 2023**; and, thereafter to Mauritius from **27th September 2023 to 2nd October 2023**.

8. The respondent nos. 2 and 3 to communicate this order to the Immigration Authorities forthwith, and in any event within 48 hours from uploading of this order.

9. The Immigration Authorities on all points of departure, will permit the petitioner to pass through immigration and to board his flight or flights, irrespective of whether the immigration systems has been updated and whether the respondent nos. 2 and 3 have informed the Immigration Authorities or not.

10. Application is allowed and disposed in the above terms.

11. All concerned to act on an authenticated copy of this order.

GAURI GODSE, J.

REVATI MOHITE DERE, J.