



IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 3499 OF 2023

IN

WRIT PETITION NO. 2679 OF 2022

Vinit Arvind Shah

...Applicant.

V/s.

The State of Maharashtra and Anr.

...Respondents.

Mr. Niranjan Mundargi i/b Mr. Hemant P. Ingole for the Applicant.

Mr. S.S. Hulke, APP for the Respondent-State.

CORAM : A.S. GADKARI &
SHARMILA U. DESHMUKH, JJ.

DATE : 29th September, 2023.

P. C. (Per : SHARMILA U. DESHMUKH, J.) :

1. Heard Mr. Mundargi, learned counsel for the Applicant and Mr. Hulke, learned APP for the Respondent-State.

2. The Applicant arraigned as Accused in CR No.111 of 2019, initially, registered with Kalyan Police Station and subsequently transferred to Economic Offences Wing (EOW), seeks permission to travel New York for the period from 26th October, 2023 to 16th November, 2023.

3. Mr. Mundargi, submits that LOC has been issued at the instance of Respondent No.1 against the Applicant. He would submit that the Applicant has been protected from arrest by virtue of Order

passed by this Court. He submits that this Court vide Order dated 27th September, 2022 had permitted the Applicant to travel overseas. He would submit that the Applicant has complied with the terms and conditions imposed by this Court while granting permission to travel abroad. He would further submit that the Applicant seeks to travel to New York, United States for the period from 26th October, 2023 to 16th November, 2023.

4. Learned APP, on instructions, do not have serious opposition and would submit that the Applicant be put to terms while granting permission.

5. The Applicant was permitted to travel abroad earlier on four and has thereafter returned to India. It is not disputed that there is no breach of the terms and conditions imposed by this Court while granting the permission to overseas.

6. Considering that the Applicant was permitting to travel overseas earlier and that the Applicant has abide by the conditions imposed, we are inclined to permit the Applicant to travel to New York, United States for the period from 26th October, 2023 to 16th November, 2023 and to temporarily suspend the LOC for the said period on the following terms and conditions:

(i) The Applicant – Vinit Arvind Shah is permitted to travel

to New York for the period of 26th October, 2023 to 16th November, 2023;

- (ii) The Applicant before his departure to furnish the details of the address where he would be residing, contact number on which he can be contacted during this period to the Respondent No.1-Economic Offences Wing;
- (iii) The Applicant shall not apply for renewal or extension of this Order until he returns to this country;
- (iv) The Immigration Authorities on all points of departure, will permit the Applicant to pass through immigration and to board his flight or flights, irrespective of whether the immigration system has been updated;
- (v) The Applicant shall inform the Respondent No.1-Economic Offences Wing of his arrival within 48 hours of his arrival in India;
- (vi) In the meantime, the operation of the LOC issued against the Applicant, is temporarily suspended during for a period of 26th October, 2023 to 17th November, 2023;
- (vii) The Respondent No.1-Economic Offences Wing to communicate this Order to the Immigration Authorities forthwith.

7. Interim Application is disposed off in the above terms.

8. All concerned to act on the authenticated copy of this Order.

(SHARMILA U. DESHMUKH, J.)

(A.S. GADKARI, J.)