



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 3672 OF 2023
IN
WRIT PETITION NO. 3382 OF 2023

Vivek Kudva ...Applicant.
V/s.
Union of India and Ors. ...Respondents.

Mr. Venketesh Dhond, Senior Advocate a/w Ms. Ankita Singhaniya and
Mr. Sayeed Mulani i/by Mulani and Co. for the Applicant.
Ms. Neha Bhide for Respondent No.2.
Ms. A. S. Pai, Public Prosecutor a/w Ms. S. D. Shinde, APP for
Respondent-State.

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

DATE : 12th October, 2023.

ORDER : (Per SHARMILA U. DESHMUKH, J.)

1. Heard Mr. Venketesh Dhond, Senior Advocate for the Applicant, Ms.A.S.Pai, learned Public Prosecutor for Respondent-State and Ms.Neha Bhide, learned Advocate for Respondent No.2.
2. By this Interim Application, the Applicant seeks suspension of lookout circular/notice or any other document imposing travel restrictions on the Applicant to enable the Applicant to travel to U.S. from 14th October, 2023 to 2nd November, 2023.
3. Mr. Venketesh Dhond, learned Senior Advocate for the Applicant submits that, the Applicant has in the past travelled overseas

on about 10 occasions post registration of the ECIR and has returned back to India

4. Ms. Bhide, learned counsel for the Respondent No. 2, on instructions, do not have serious opposition and would submit that permission to travel can be granted subject to the usual terms and conditions.

5. The Applicant has co-operated with the investigating agency and has attended their office as and when summoned. It is not disputed that, the Applicant has travelled overseas on several occasions and returned to India. The Applicant has deep roots in India and is not stated to be a flight risk. As such, there is no impediment to permit the Applicant to travel to U.S. for the period from 14th October, 2023 to 2nd November, 2023. Accordingly, the Application is allowed on the following terms and conditions :

- (i) Applicant– Vivek Kudva is permitted to travel to U.S. during the period from 14th October, 2023 to 2nd November, 2023;
- (ii) Applicant, before his departure, to furnish the full itinerary of his overseas travel with all details, including the addresses where he would stay, telephone/mobile/contact numbers, on which he can be contacted during the said period, to Respondent No.2;
- (iii) 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 and whether Respondent No.2 has informed the Immigration Authorities or not;
- (v) To enable the Applicant to travel, the operation of the LOC/ document placing travel restrictions on the Applicant, is stayed from 14th October, 2023 to 3rd November, 2023.

6. Learned counsel for Respondent No.2 to communicate this order to the immigration authorities forthwith upon the Order being uploaded.

7. Interim Application is disposed of in the aforesaid terms.

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

(SHARMILA U. DESHMUKH, J.)

(A.S. GADKARI, J.)