



Urmila Ingale

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

CRIMINAL APPLICATION NO.227 OF 2023

SAHIL OMPRAKASH BAGHLA S/O SH.

OMPRAKASH BAGHLA

..APPLICANT

VS.

THE STATE OF MAHARASHTRA

..RESPONDENT

Mr. Manoj Harit i/b Manoj Harit & Co., for the Applicant.

Mr. N. B. Patil, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : OCTOBER 19, 2023

P.C. :

1. This is an application for permission to the applicant to travel to United States of America ('USA', for short) for the period of 6 months from 12/10/2023 to 11/04/2024.
2. Learned counsel for the applicant submitted that now the period from 01/11/2023 to 11/04/2024 be considered as a travel period to USA. Further submission of the learned counsel is that the applicant's wife is pursuing PhD in USA and is pregnant and there is no one to attend her. The expected date of delivery is 28/03/2024.
3. Learned APP opposed the application. It is submitted that there are several bitcoins which are seized from the applicant, the

market value of which is Rs. 11,76,13,826.81/-. There are various cases registered against the applicant all over India and investigation in those cases is on-going. Learned APP submitted considering the gravity of the accusations, there is every possibility of applicant absconding and he may not return. It is submitted that the application be rejected.

4. So far as the present C.R. is concerned, the investigation is complete. The charge-sheet has been filed. The framing of charge is likely to take a long time. The applicant had previously visited USA from 26/07/2023 to 08/08/2023 and from 02/09/2023 to 24/09/2023. This was after the charge-sheet was filed and with the permission of the trial Court as one of the condition imposed on the applicant while enlarging the applicant on bail is not to leave India without permission of the trial Court. The applicant had thus on the earlier occasion twice visited USA and returned on the dates specified above. There is no allegation of the applicant violating the permission earlier granted by the trial Court. As the applicant's wife is pregnant and expected date of delivery is 28/03/2024, in my opinion, the applicant can be permitted to travel to USA for a limited period by imposing conditions, on humanitarian grounds. Looking at the past conduct of the applicant, it is unlikely that he will violate the

permission granted.

5. The applicant is permitted to travel to USA from 01/11/2023 to 11/04/2024. During this period the applicant shall make himself available to the investigating officer through video conferencing, if required.

6. If the passport of the applicant is with the investigating officer or with the trial Court, the same be handed over to the applicant, which shall be upon his return, be deposited back with the investigating officer or the trial Court.

7. The applicant to furnish his travel itinerary along with details of the place of residence where the applicant will stay in USA. The applicant shall furnish the contact details of his wife.

8. The applicant shall furnish his mobile phone number / contact details in case the respondent wishes to contact the applicant.

9. After returning back to India, the applicant shall intimate to the investigating officer.

10. The application is disposed of.

(M. S. KARNIK, J.)