



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

CRIMINAL WRIT PETITION NO. 288 OF 2023

Ankita Kirtikumar Shah Alias Ankita
Bhushan Shah

...Petitioner

Versus

1. Union of India
through Ministry of Home Affairs
2. AFFRO/ACP
The Bureau of Immigration, CSI
Airport, Mumbai
3. The Commissioner of Customs
New T2 Terminal, Mumbai
4. The Asst. Commissioner of Customs
AIU, Mumbai
5. The State of Maharashtra

....Respondents

Mr. Vivekanand Krishnan a/w Ms. Chaitali Bhogle i/b Mr. Amol Wagh
for the petitioner
Mrs. P. P. Shinde APP for the State
Mrs. Anuradha Mane for respondent no. 4-Customs
Mr. Ayush Kedia i/b Mr. H. S. Venegavkar for respondent no. 2.
Mr. Prashant Sawant, PI, FRRO Office, Mumbai.

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

DATE : 18th AUGUST 2023

P.C. :

1. By this petition, the petitioner seeks a direction to the

respondent-authorities, to permit her to travel to India/Mumbai.

2. It appears that the petitioner is born in India and has subsequently acquired citizenship of United Kingdom and is holding OCI card. It appears that the petitioner is facing prosecution under sections Section 111(d), (1) and (m) of the Customs Act, 1962. It appears that Customs Authorities had seized some gold ornaments and silver, from the petitioner at the Chatrapati Shivaji International Airport on 24th November 2015. Personal penalty of Rs. 5 Lakhs was also imposed on her. We are informed that the petitioner has paid the said penalty imposed on her by the Customs Authority.

3. Mrs. Mane, learned counsel appearing for the respondent-Customs Authority has tendered a letter dated 10th August 2023 addressed to the Government Counsel by the Assistant Director, Bureau of Immigration. By the said letter, the Bureau of Immigration(BOI) have given their no objection for the petitioner to travel to India for a specified period. The said letter is taken on record.

4. Accordingly, we allow the application and we permit the petitioner to travel to India from 12th October 2023 to 27th October 2023. Look Out Circular (LOC), if any pending against the petitioner during the said period shall stand suspended to enable her to come to India and to leave India on the dates stated hereinabove.

5. Petition is allowed and disposed of on the aforesaid terms

6. All the parties to act on the authenticated copy of this order.

GAURI GODSE, J.

REVATI MOHITE DERE, J.