



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (APPP) NO.911 OF 2023 IN
CRIMINAL APPLICATION (BA) NO.1152 OF 2022 (D)
Dharmesh s/o Jayantibhai Patel Vs. State of Maharashtra

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Shri C.B. Barve, Advocate for applicant.
Shri S.M. Ghodeswar, APP for non-applicant/State.

CORAM : M.W. CHANDWANI, J.
DATE : AUGUST 24, 2023.

The applicant seeks permission to travel to Thailand for business purpose and requested to release the passport to enable him to attend the Business Summit. Needless to mention that by order dated 07.10.2022 while releasing the applicant on bail, a specific condition has been imposed by this Court, which is reproduced hereunder:

“(iii) The applicant shall surrender his Passport with the concerned Police Station, till culmination of the trial”

2. Learned counsel for the applicant vehemently submits that since the passport of the applicant has been surrendered with the concerned Police Station, he is unable to travel to Thailand for business Summit. Therefore, he has requested for permission to travel to Thailand with directions to the concerned police station to release the passport.

3. Learned APP submits that the offence is registered against the applicant under various sections of Indian Penal Code as well as Sections 3 and 4 of the Maharashtra Protection of Interest of Depositors in Financial Establishments Act, 1999. Apart from it, Section 66(d) of the Information Technology Act, 2008 and Section 3 and 5 of the Prize Chits and Money Circulation Schemes (Banning) Act, 1978 have also been registered. Therefore, there are chances that the applicant may flee away and may not return back.

4. Learned counsel for the applicant vehemently submitted that it is a routine business of the applicant and he has already booked his return ticket from Thailand and therefore application be allowed.

5. Heard learned counsel for the applicant and learned APP for the State. After going through the material available on record, particularly, business Summit invitation, wherein the applicant is invited to attend the business summit at Thailand between 20.08.2023 till 20.10.2023. In my view, the following arrangement would meet the ends of justice:

- i. The application is allowed.
- ii. The applicant is permitted to travel abroad i.e. Thailand between 04.09.2023 to 09.09.2023.

iii. The applicant shall report to the Indian Embassy at Thailand and shall submit details of stay during the aforesaid period at Thailand.

iv. The Economic Offences Wing, Nagpur is directed to hand over the passport of the applicant for temporary period.

v. After returning from Thailand, the applicant shall surrender his passport to Economic Offences Wing, Nagpur.

The application is disposed of in above terms.

JUDGE

Wagh