



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

Criminal Application [APPP] No.1263 of 2023

in

Criminal Application [ABA] No.857 of 2019

Nikunj Ramakant Harlalka and others

vs.

State of Maharashtra, through PSO Shegaon City, District Buldhana and another

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

Mr. P.J. Mehta, Advocate for the Applicants.

Mr. M.J. Khan, A.P.P. for Non-Applicant No.1/State.

Mr. S.V. Sirpurkar, Advocate for Non-Applicant No.2.

CORAM : M.W. CHANDWANI, J.

DATE : 5th SEPTEMBER, 2023.

By the present application, the applicants seek permission to travel abroad i.e. Japan from 08/09/2023 till 17/09/2023.

02] Heard the learned Counsel for the applicants as well as the learned A.P.P. for the State and the learned Counsel for non-applicant No.2.

03] By clause (iv) of the order dated 21/01/2021, the applicants were directed not to leave the country and to surrender their passports to the concerned Police Station.

04] It is contented on behalf of the learned Counsel for the applicants that the applicants have planned for a short visit to Japan between 08/09/2023 to 17/09/2023 for family trip. According to the learned Counsel for the applicants, on earlier occasions also, the applicants have been permitted to travel abroad and they have complied all the conditions.

05] The learned Counsel appearing on behalf of non-applicant No.2/complainant and the learned A.P.P. opposed the present application.

06] It is to be mentioned here that, the applicants had applied for relaxation of this condition, however, this Court did not allow the same and ask the applicants to apply for permission as and when they have to go abroad. The applicants applied for permission to travel abroad twice and their applications were allowed.

07] Considering the fact that earlier the applicants have been granted permission to travel abroad and complied all the conditions as well as considering the nature of offence registered against the applicants i.e. under Section 498-A, 365 and 506 of the Indian Penal Code, I do not find any difficulty in allowing the applicants to travel abroad on certain conditions.

08] Applicant Nos.1 to 3 are permitted to travel abroad from India (Mumbai) to Japan (Tokyo) from 08/09/2023 till 17/09/2023. The applicants shall submit the details of their immovable properties situated at Mumbai and other places. The application is allowed and disposed of accordingly.

Criminal Application [APPP] No.1264/2023 :

By the present application, applicant No.3-Nishant Harlalka seeks permission to travel abroad i.e. Portugal (Lisbon) from 11/10/2023 to 24/10/2023 along with his wife and thereafter to U.A.E. (Dubai) from 30/10/2023 to 06/11/2023 for family trip.

02] Heard the learned Counsel for the applicants as well as the learned A.P.P. for the State and the learned Counsel for non-applicant No.2.

03] The learned Counsel appearing on behalf of non-applicant No.2/complainant and the learned A.P.P. opposed the present application.

04] Earlier also, applicant No.3 has been granted permission to travel abroad on certain conditions and the applicant complied all the conditions.

05] Considering the fact that earlier the applicant has been granted permission to travel abroad and complied all the conditions as well as considering the nature of offence registered against the applicants i.e. under Section 498-A, 365 and 506 of the Indian Penal Code, I do not find any difficulty in allowing the applicant to travel abroad on certain conditions.

06] Applicant No.3 is permitted to travel abroad from India (Mumbai) to Portugal (Lisbon) from 11/10/2023 to 24/10/2023 and thereafter U.A.E. (Dubai) from 30/10/2023 to 06/11/2023. Applicant No.3 shall submit the details of his immovable properties situated at Mumbai and other places. The application is allowed and disposed of accordingly.

JUDGE