



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

14 CRIMINAL APPLICATION NO. 1502 OF 2024
IN APPLN/3081/2015

AMIT S/O ARVIND RATNAPARKHI
VERSUS
THE STATE OF MAHARASHTRA

...
Mr. Rajendra S. Deshmukh, Senior Counsel, a/w Ms. Rakshanda Jaiswal &
Mr. K. M. Salve, i/b Mr. Devang R. Deshmukh, Advocates for Applicant.

Mr. Rajdeep D. Raut, APP for Respondent/State.

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CORAM : **SANJAY A. DESHMUKH, J.**

DATE : 06th May, 2024.

P.C.:

1 This is an application for relaxation of condition No.(iv) of
the operative part of order dated 3rd July, 2015 passed by this Court in
Criminal Application No.3081 of 2015, which reads as under:-

“(iv) Applicant shall not leave the country, without prior
permission from the trial court.”

2 The learned Senior Counsel for applicant pointed out the
nature of crime as well as the order passed by this Court. He also
pointed out the letter issued to the applicant by his company where the
applicant is serving as a Head of Global Sourcing and procurement. It
is lastly prayed to allow the application.

3 The learned APP for the State strongly opposed the application and pointed out the orders passed by this Court in Criminal Application No.2903 of 2015 dated 3rd July, 2015, in Criminal Application No.5392 of 2015 dated 13th October, 2015 and in Criminal Application No.5746 of 2016 dated 19th October, 2016.

4 The learned APP for the State pointed out clause (b) of paragraph No.6 of the order dated 19th October, 2016. He lastly prayed to reject the application as the applicant did not approach before the learned Trial Court as per the directions of this Court.

5 Perused all the documents filed on record. The applicant is holding such a post that he has to move from India to other countries frequently, which is part of his duty. He has roots in the society. He had followed the directions of this Court. The communications made to him by his employer show that he is a responsible person having heavy responsibilities like plant head, technology head, quality head and finance head. This shows that the applicant is required in many countries for performing his duties. Though this Court has passed an order dated 19th October, 2016 and directed this applicant to approach the Trial Court, it is not practically possible to the applicant to frequently pray for such relief for leaving India. Therefore, considering

the peculiar fact situation of the case, this criminal application deserves to be allowed, in the interest of justice. The criminal application is, therefore, allowed in terms of prayer clause (B).

[SANJAY A. DESHMUKH, J.]

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