

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

***INTERIM APPLICATION NO.124 OF 2024
IN
CRIMINAL WRIT PETITION NO.2410 OF 2023***

Dr. Anuj Saxena ...Applicant
Versus
State of Maharashtra and Ors. ...Respondents

Mr. Dinesh Kumar Dubey, for the Applicant.

Ms. P. P. Shinde, A.P.P for the Respondent No.1– State.

Mr. Shahajirao Shinde a/w Ms. Divya Gontia i/b Mr. Pradeep Yadav
for the Respondent No.2 – SFIO.

***CORAM : REVATI MOHITE DERE &
MANJUSHA DESHPANDE, JJ.***

DATE : 18th JANUARY 2024

P.C. :

1. Heard learned counsel for the parties.
2. By this interim application, the applicant seeks suspension of his Look Out Circular ('LOC'), so as to enable him to travel abroad for 3 months i.e. between the period 25th January 2024 to 27th

March 2024 i.e. to Dubai, London, Bangkok and Bali.

3. Perused the papers. It appears that the respondent No.2 – Serious Fraud Investigating Office (SFIO) is investigating the case since 2019. Admittedly, the applicant has not being summoned even once since 2019, till date. We, vide order dated 20th July 2023 passed in Interim Application No.2584 of 2023 filed in the aforesaid writ petition had permitted the applicant to travel abroad during the period mentioned in the said order and accordingly, had suspended the LOC issued at the behest of the SFIO for the said period. It is not in dispute that the applicant had complied with the conditions stipulated in the said order.

4. Learned counsel for the applicant has tendered additional documents alongwith the travel itinerary of the applicant. The same is taken on record. It appears from the said documents that the applicant intends to travel to Dubai for the period 25th January to 1st February 2024; to London for the period 16th February 2024 to 25th

February 2024; to Bangkok for the period 17th March 2024 to 22nd March 2024 and to Bali for the period 22nd March 2024 to 27th March 2024. To the additional documents tendered, the applicant has attached the flight tickets alongwith the hotel bookings done for the said period.

5. Learned counsel for the applicant states that before the applicant's departure, the applicant will furnish the travel itinerary i.e. addresses and his contact numbers during the applicant's stay abroad, to the respondent No.2 - SFIO.

6. It is not in dispute that the applicant has been permitted to travel by the learned Designated Judge under the Maharashtra Protection of Interest of Depositors Act, 1999, for Greater Bombay, vide order dated 8th January 2024. The learned Judge has already imposed several conditions, whilst permitting the applicant to travel abroad.

7. Considering what is stated aforesaid, the application is allowed on the following terms and conditions;

ORDER

- (i) The applicant - Dr. Anuj Saxena, is permitted to travel abroad during the period from 25th January 2024 to 27th March 2024 as stated aforesaid. During the said period of travel, the LOC issued at the instance of the respondent No.2-SFIO shall stand suspended;
- (ii) The applicant, before his departure, shall furnish the full itinerary of his overseas travel with all details, including the address where he would stay, telephone/mobile/contact numbers, on which he can be contacted during the said period, to the SFIO, via e-mail/fax or any other electronic mode;
- (iii) The applicant shall, on his return to India, within 48 hours, shall inform the SFIO of his return;
- (iv) The respondent No. 2 - SFIO shall inform the Immigration Authorities of the order passed today, at the earliest and in any event within 48 hours of this order being uploaded;
- (v) The Immigration Authorities, on all points of departure, will permit the applicant to pass through immigration and to

board his flight or flights, irrespective of whether the immigration system has been updated and whether the SFIO has informed the Immigration Authorities or not;

(vi) The applicant shall not apply for extension or renewal of this order, until he returns to India.

8. Interim Application is allowed and disposed of in above terms.

All concerned to act on the authenticated copy of this order.

MANJUSHA DESHPANDE, J.

REVATI MOHITE DERE, J.