

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION

**WRIT PETITION NO.2532 OF 2023**

Union of India ...Petitioner  
vs.  
Poonam Pappiya Sombaya and Another ...Respondents

None for the Petitioner.

Dr. Sujay Kantawala a/w. Mr. Karan Jain, Mr. Avinash Limbolia, Mr. Maniesha Karande i/b. Krishna Sarkar, for the Respondents  
Mr. S.R. Agarkar, APP for the State.

**CORAM : N. J. JAMADAR, J.**  
**DATE : JANUARY 22, 2024**

**P.C.:**

1. None for the petitioner on the second call as well.
2. The challenge in this petition is to an order dated 16<sup>th</sup> May, 2023 passed by the learned Additional Sessions Judge, Greater Mumbai in Criminal Revision Application No. 350 of 2023 whereby the learned Judge dismissed the Revision Application by affirming the order dated 30<sup>th</sup> March, 2023 passed by the learned Additional Chief Metropolitan Magistrate, 19<sup>th</sup> Court, Esplanade, Mumbai in C.C. No. 1188/Misc/2023 in R.A. No. 194/RA/2023 granting permission to respondent No. 1 to travel abroad subject to certain conditions.
3. On 11<sup>th</sup> August, 2023 noting the nature of the challenge and the fact that none had appeared for the petitioner, this Court was

persuaded to pass the following order:

5] Since the said order is otherwise not stayed by this Court and considering the fact that the VISA is expiring on 16/08/2023 and Respondent No.1 has already booked ticket to go to US with return ticket on 29/09/2023, in my considered view there is no embargo in permitting Respondent No.1 to travel abroad from 15/08/2023 till 29/09/2023. The Respondent No.1 shall furnish contact details including the email address and mobile numbers to the Petitioner-Department. Respondent No.1 shall also comply with all other conditions imposed by the learned Additional Chief Metropolitan Magistrate, 19th Court, Esplanade, Mumbai, in order dated 30/03/2023 and shall report to the Investigating Officer on 03/10/2023 by 11.00 a.m.

4. The learned counsel for respondent No. 1 submits that in terms of the aforesaid order, the respondent No. 1 traveled abroad and has also returned back to India. By a further order dated 18<sup>th</sup> December, 2023 in Misc. Application No. C.C.No.4767/Misc./2023, the learned Additional Chief Metropolitan Magistrate, 19<sup>th</sup> Court, Esplanade, Mumbai has further relaxed the conditions which were imposed by earlier orders.

5. In view of the above, nothing survives in this petition.

6. Hence, the petition stands disposed.

**(N. J. JAMADAR, J.)**