

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

Interim Application No. 4745 of 2024

in

Criminal Application No. 53 of 2024

Poonam Jaidev Shroff

Age 54 years, Occ. Housewife,

R/at. 82, Pali Hill, Bandra West,

Mumbai - 400 050 and presently

At 38, Pali Hill, Bandra West,

Mumbai - 400 050.

... Applicant

versus

1. The State of Maharashtra

(At the instance of Khar Police

Station vide C.R. No.169 of 2016)

2. Jaidev Rajnikant Shroff

Age 59 years, Adult,

Occ. Business, Resident of

Dubai and also residing at

82, Pali Hill, Bandra West,

Mumbai - 400 050.

...Respondents

Mr Pranav Badheka a/w Ms Anisha Nair i/b Naik Naik & Co,
for the applicant in IA/4745/2024 & APPLN/53/2024.

Mr Arfan Sait, APP, for the respondent/ State.

Mr Parvez Memon a/w Ms Drishti Singh and Mr Kush Agarwal
i/b MZM Legal LLP, for respondent No.2.

API Gokul Bhoi (IO), Khar Police Station, Mumbai.

Coram: R.N. Laddha, J.

Date: 21 November 2024

P.C.:

- . Heard the learned Counsel for the parties.
2. By the present interim application, the applicant seeks permission to travel abroad from 22 November 2024 to 28 February 2025. The applicant has been granted anticipatory bail in connection with CR No.169 of 2016, registered at Khar Police Station, Mumbai, for offences punishable under Sections 328, 323, 504 read with 34 of the Indian Penal Code.
3. Mr Pranav Badheka, the learned Counsel for the applicant, submits that marital disputes between the applicant and the informant led to the filing of the present FIR. The applicant seeks permission to travel abroad from 22 November 2024 to 28 February 2025, to accompany her daughter for her educational purpose, medical treatment and the Christmas vacation. The applicant has travelled abroad 14 times previously with the Court's permission while on pre-arrest bail and has consistently complied with the Court's orders by returning to India after each trip. The applicant's proposed travel will not prejudice the respondents in any manner.

4. Mr Arfan Sait, the learned Additional Public Prosecutor representing respondent No.1/ State, on instructions, fairly submits that the applicant's application to travel abroad may be allowed for a specified period. However, Mr Parvez Memon, the learned Counsel appearing for respondent No.2, opposes the applicant's prayer to travel abroad contending that the offence is serious and the applicant has been travelling repeatedly.

5. Upon reviewing the records, it is evident that this Court has previously granted the applicant permission to travel abroad on 14 occasions, with the applicant consistently returning to India as required. Considering the peculiar facts of the case, the interim application is allowed in the following terms:

(i) The applicant is permitted to travel out of India from 22 November 2024 to 28 February 2025.

(ii) The applicant shall furnish an undertaking to the Registry of this Court that she will return to India during this period.

(iii) The applicant shall submit her travel

itinerary, details of intended stay, and contact information to the investigating officer.

(iv) The investigating officer shall immediately return the passport to the applicant to enable her to travel and obtain necessary permissions.

(v) The applicant shall re-deposit her passport with the investigating officer within one week after her return.

6. The interim application stands disposed of accordingly.

7. Place the Criminal Application No.53 of 2024 for hearing on 22 January 2025.

(R.N. Laddha, J.)