



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

938 CRIMINAL WRIT PETITION NO. 571 OF 2025

LAXMIKANT MANOHAR KAPSIKAR  
VERSUS  
THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for the Petitioner : Mr. Dhanraj S. Ingole h/f Mr.  
Ghanekar Nilesh S.

APP for Respondent/s-State : Mr. K. K. Naik.

Advocate for Respondent No.2 : Ms. Nikita Gore (Standing  
Counsel).

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CORAM : SHAILESH P. BRAHME, J.  
DATE : 08.05.2025

PER COURT :-

1. Ms. Nikita Gore tenders on record affidavit-in-reply of  
respondent No.2.

2. This writ petition is directed against the order dated  
06.03.2025 below Exh.26 passed by Judicial Magistrate First  
Class, Aurangabad in RCC.No.835 of 2021.

3. Petitioner is aspiring for travelling abroad to attend  
delivery of his daughter. As he is accused in RCC.No.835 of  
2021, he submitted application Exh.26 seeking no objection or  
permission for travel abroad. His passport also expired on  
04.08.2024 and he is proceeding to renew the same. By

impugned order, application is rejected as material particulars were not provided by him.

4. Learned counsel for the petitioner Mr. Ingole submits that he may be permitted to file a fresh application before the jurisdictional Magistrate with material particulars.

5. Learned counsel Ms. Nikita Gore supports the order of rejection of the applicant. She would submit that material particulars were not included in application Exh.26. No fault can be found in the impugned order. It is contended that applicant is involved in serious offence and hence, he is not entitled to undertake any travel.

6. Application is mainly rejected by impugned order because petitioner failed to provide material particulars. Those particulars are necessary for the subjective scrutiny of the Magistrate. Mere rejection of application would not preclude him from presenting application with necessary details. I do not find that there is any perversity or illegality in the impugned order.

7. Writ petition is disposed of with a clarification and liberty to the petitioner to file appropriate application before the jurisdictional Magistrate with material particulars or to

undertake proceeding as permissible in law. If such application or proceedings are undertaken those shall be decided on its own merits within shortest possible time considering the exigency.

**(SHAILESH P. BRAHME, J.)**

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vmk/-