

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE JURISDICTION
CRIMINAL WRIT PETITION NO. 6178 OF 2024

Sidhant Suresh Chandra Rastogi

.... Petitioner

Versus

The State of Maharashtra

.... Respondent

Adv. Chaula Solanki a/w Adv. H. H. Nagi, Niranjana Pradhan and Adv. Rinky K. i/b Nagi & Associates, Advocate for the Petitioner.

Ms. Poonam P. Bhosale, APP, for the Respondent – State.

Mr. Amit R. Pandey i/b Mr. Rajesh Pandey, Advocate for the Intervenor.

CORAM : SHIVKUMAR DIGE, J.

DATE : 16th APRIL, 2025.

P.C. :

1. Heard learned counsel for the Petitioner, learned APP for the State and learned counsel for the Intervenor.
2. Learned counsel for the Petitioner seeks leave to amend the prayer clause. Leave granted.
3. By this petition, the Petitioner is seeking to modify / set aside the condition imposed in order dated 14th July, 2022 passed by the Metropolitan Magistrate Railway Court, Andheri, Mumbai for in C.C. No.1170/N/2022 IN C.C. No.946/PW/2016 (C. R. No.313 of

2014 Meghwadi Police Station)..

4. It is contention of learned counsel for the Petitioner that Petitioner has been charged under Sections 498-A, 406, 323 and 504 of the Indian Penal Code, 1860 (for short “IPC”). The Petitioner needs to travel Abroad frequently in regard to his work. The learned Metropolitan Magistrate Railway Court has imposed the condition on the Petitioner that Petitioner is directed not to leave India without prior permission of this Court. Learned counsel further submitted that Petitioner is finding difficulty to take permission every time. The Petitioner undertakes to provide itinerary to Investigating Officer, when he interested to travel Abroad. Hence, requested to allow the petition.

5. Learned counsel for the Intervenor strongly objected to allow the petition on the ground that if condition is relaxed, the Petitioner may abscond. Hence, requested to dismiss the petition.

6. Learned APP submits that appropriate order be passed.

7. I have heard all learned counsel. Perused order passed by the learned Metropolitan Magistrate Railway Court, Andheri, Mumbai.

8. By this petition, the Petitioner is seeking revoke/modify/

set aside the condition imposed on him to file application before the trial Court while travel to Abroad. Considering the fact that the Petitioner frequently travel to Abroad. He is citizen of India and he has base in India. On earlier occasions, the Petitioner was permitted to travel Abroad and he returned. Considering these facts, I pass following order:-

ORDER

- i. The petition is allowed.
 - ii. The bail condition imposed on the Petitioner that he shall take permission of the Metropolitan Magistrate Railway Court, before travelling Abroad, is hereby relaxed.
 - iii. The Petitioner shall provide itinerary of his travel to Abroad to the Investigating Officer, when he intends to travel Abroad.
9. In view of the aforesaid terms and conditions, the petition is allowed and disposed of.

(SHIVKUMAR DIGE, J.)