



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 322 OF 2025

MOHAMMED SALIM ABDULGAFFAR

SOPARIWALA AND ANR

...APPLICANT

VS

STATE OF MAHARASHTRA

...RESPONDENT

...

Adv. Jatin P. Karia (Shah) a/w Dhaval Sangoi, Maniram Gaud & Preeti
S. G. i/b S. R. Gaud for the Applicants.

Adv. Supriya Kak, APP for the State.

API. R. K Shaikh Pydhonie Police Station.

...

CORAM : RAJESH S. PATIL, J.

DATED : MARCH 11, 2025

PC.:

1. The present application has been filed by the applicants only limited purpose seeking relaxation of condition no. (iii) of order dated 10 February 2025 passed by the Additional Session Judge at Greater Mumbai.

2. It is submitted on behalf of the applicants that the applicant's grand son is getting marriage on 23 March 2025 at Holy place of Madinah, Saudi Arabia. The applicants being the senior most person in the family, is intending to attend the marriage ceremony and other rituals and will be a witnessed to the marriage.

3. On behalf of the applicants it is submitted that as per order dated 10 February, 2025, up-till now, the applicants have co-operated with the police and have also complied with the conditions as mentioned in the order dated 10th February, 2024. They have attended the office of the concerned investigating officer on every Monday after passing of the said order. At least 4 times, they have visited the office of the investigating officer. Since both the applicants, being grand parents, are desires of attending the marriage of their grand son, they are seeking relaxation only for three Monday's, starting from 17 March 2025 to 31 March 2025. The itinerary handed over by the counsel for the applicants is taken on record and marked as "X" for identification. The applicant no. 1 is present in Court and given an undertaking that the applicant will abide by the conditions of this Court.

4. The learned APP submits that the applicants can visit the marriage ceremony of their grand son provided, before they travel to Madinah, Saudi Arabia they should visit the office of the investigating officer and after returning from Madinah, Saudi Arabia, again they will visit the office of the investigating officer and thereafter the condition as imposed by order dated 10 February, 2025 should continue. So also, they should give an undertaking that they will return back on the scheduled date as pre their itinerary.

5. I have heard the counsel for both the sides. After

considering the submission of the learned counsel for the parties, I pass the following order.

(a). The applicants are permitted to visit the concerned police station on 13 March 2025 in morning 11.00 am. Thereafter since they would be travelled to Madinah, Saudi Arabia on 15 March 2025 by an afternoon flight of 4.30 pm and they will be returning back on 1 April 2025 to Mumbai at 6.30 am in the morning, they will again attend the office of the investigating officer on 2 April, 2025 between 10.00 am to 1.00 pm.

(b) The applicants after returning back from 7 April, 2025 would again attend the concerned police station on every Monday between 10.00 am to 1.00 pm for a period of three months, or till the filing of the charge-sheet whichever is earlier as mentioned in the order dated 10 February 2025. The period of three months should be calculated from the order dated 10 February 2025.

6. This Court has not made any other changes in the order dated 10 February, 2025 except the one which has been mentioned above.

7. **Criminal application is disposed off accordingly.**

(RAJESH S. PATIL, J.)

This order is corrected pursuant to speaking to minutes order dated 27/03/2025.