

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.550 OF 2025

Gaurav Ramshiromani Mishra	...Applicant
<i>Versus</i>	
The State of Maharashtra	...Respondent

Ms. Saili N. Dhuru a/w. Ms. Sampada S. Patil, for the Applicant.
Ms. Poonam P. Bhosale, APP, for the Respondent-State.
Mr. Pravin Nawadkar, ACP, ACB, Mumbai, present.

CORAM: MADHAV J. JAMDAR, J.
DATED : 17th JULY 2025

PC:-

1. Heard Ms. Dhuru, learned Counsel appearing for the Applicant and Ms. Bhosale, learned APP appearing for the Respondent-State.

2. The challenge in this Criminal Application filed under Section 482 of the Code of Criminal Procedure, 1973 is to the order dated 24th April 2025 passed by the learned Special Judge under the Prevention of Corruption Act, 1988 & Additional Sessions Judge, City Civil & Sessions Court, Mumbai in ACB

Miscellaneous Application No.541 of 2025 in ACB Remand Application No.496 of 2024 in Crime No.13 of 2024.

3. In the said application, the Applicant has sought permission to travel abroad from 2nd May 2025 to 17th May 2025 to Dubai and thereafter to Georgia for his professional obligations involving digital content creation for YouTube channels namely “LuxeAnu”, “yShreeni” and “BorderlessGM”. The said application has been dismissed by the learned Trial Court *inter alia* on the ground that the main accused is absconding, the prosecution sanction is awaited, although the Applicant has been released on bail the investigation is yet to culminate in filing of chargesheet, the bribe amount was recovered from the Applicant himself etc.. It has been further held that there is substance in the apprehension expressed by the ACB that the Applicant may not return in time or that his absence could prejudice the filing of the chargesheet or securing his presence for framing of charge.

4. Ms. Dhuru, learned Counsel tenders affidavit dated 17th July 2025 of the Applicant. In the said affidavit, the Applicant has stated that the Applicant is originally from Gorakhpur, Uttar

Pradesh. However, he is staying in Mumbai with his family members since the year 2015. It is stated that the Applicant is staying in rented apartment situated at D-3102, Northern Heights, Shanti Nagar, Station Road, Dahisar (East), Mumbai – 400068. The Applicant has stated that his family members i.e. parents are having bungalow at 64Q, Shivpur Sabhajanj, Sector 3rd, Jungle Salikram, Gorakhpur – 273014. The Applicant has stated that he intends to travel from 20th July 2025 to 15th August 2025 to Dubai and Georgia. He undertakes that he will remain present in the Court at the time of filing of the chargesheet and that he will co-operate with the investigating agency.

5. Ms. Dhuru, learned Counsel appearing for the Applicant has also tendered the detailed travel schedule of the Applicant giving all the details of accommodation, purpose of visit and every day's activity and location. The said travel itinerary is taken on record and marked 'X' for identification.

6. Ms. Dhuru, learned Counsel submits that assumption of the learned Trial Court that the co-accused is absconding is totally

incorrect. She submits that, in fact, the co-accused has also been released on bail.

7. Ms. Bhosale, learned APP, on instructions, confirms the said position. She states that the chargesheet has been prepared against both the accused and the same is pending for sanction from the higher authorities.

8. The Applicant's family is in Mumbai. Therefore, there is no basis for apprehension that the Applicant will abscond.

9. Thus, in the facts and circumstances, case is made out to grant relief. Accordingly, the order dated 24th April 2025 passed by the learned Special Judge under the Prevention of Corruption Act, 1988 & Additional Sessions Judge, City Civil & Sessions Court, Mumbai in ACB Miscellaneous Application No.541 of 2025 in ACB Remand Application No.496 of 2024 in Crime No.13 of 2024 is set aside and the said ACB Miscellaneous Application No.541 of 2025 in ACB Remand Application No.496 of 2024 in Crime No.13 of 2024 is allowed with modification that the Applicant is permitted

to travel as per the travel itinerary taken on record and marked 'X' for identification.

10. The Applicant is traveling abroad from 20th July 2025 to 15th August 2025. The Applicant to report the ACB office, Worli, Mumbai on 18th August 2025 between 11:00 a.m. to 2:00 p.m.

11. Various statements made by the Applicant in the said affidavit dated 17th July 2025 are accepted as undertakings given to the Court. The Applicant shall comply with the said statements.

12. Accordingly, the Interim Application is disposed of in above terms with no order as to costs.

[MADHAV J. JAMDAR, J.]

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