

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

CRIMINAL APPLICATION (APL) NO.707 OF 2025

Jasmina Jayesh Dadia

...Applicant

V/s.

The State of Maharashtra & Anr.

...Respondents

Mr. Aabad Ponda, Senior Counsel a/w Adv. Chittesh Dalmia, for the Applicant.

Ms. S. D. Shinde, APP for the Respondent No.1-State.

Mr. Amit Munde a/w Adv. Jai Vohra, for the Respondent No.2-CBI.

CORAM : SHYAM C. CHANDAK, J.

DATED : 05th DECEMBER, 2025

P.C. :-

. Heard Mr. Ponda, the learned Senior Counsel appearing for the Applicant, Ms. Shinde, the learned APP appearing for the Respondent No.1-State and Mr. Munde, the learned Counsel appearing for the Respondent No.2-CBI.

2) The Application is seeking several reliefs. However, Mr. Ponda, the learned Senior Counsel stated that he is pressing the prayer Clause (a) only, *i.e.*, to set aside item no.4 in the impugned Order dated 18/06/2024 and to suitably modify the same.

3) The facts giving rise to this Application are that, the Applicant is facing prosecution in CBI Special Case No.47 of 2007 for the offences punishable under Sections 420, 467, 468, 471 read with 120-B of the

Indian Penal Code, 1860 and Section 68-A of the Companies Act, 1956, Sections 13(2) and 13(1)(d) of the Prevention of Corruption Act, 1988. The case is pending before the Court of learned Special Judge (CBI), Greater Bombay, Mumbai.

4) While releasing the Applicant on bail, a condition was imposed on her to not to leave India without getting permission from the Court. Meanwhile, the passport of the Applicant expired on 02/04/2024. Therefore, the Applicant filed an Application at Exhibit-311 seeking 'No-Objection' from the trial Court to renew the passport. The Trial Court by an Order dated 18/06/2024 decided that Application at Exhibit-311. Said Order is impugned herein. The operative part of that Order reads:-

- “1 Application (Exh.311) in CBI Spl. Case 47/2007 is allowed.*
- 2 The applicant/ accused Jasmina Jayesh Dadia may apply for renewal of her passport to the Passport Authority and this Court has 'no objection' to renew the passport for a period of ten years.*
- 3 The applicant/accused shall not leave the country without permission/leave obtained from the Court.*
- 4 The applicant/accused shall hand over the passport to the CBI after its renewal.*
- 5 All other bail conditions shall remain intact.”*

5) Mr. Ponda, learned Senior Counsel submitted that when the Applicant was granted bail, the condition to hand over the passport to the CBI was not imposed. However, for the first time, this condition is imposed

without any necessity. He submits that even such condition is not imposed on the main Accused against whom the case is proceeding further. Meanwhile, the Applicant had visited abroad once and came back. As such, the impugned Order is not correct and it be modified.

6) Mr. Munde, learned Counsel appearing for the CBI opposed the Application and submitted that the Applicant is involved in an economic offence and she may abscond to evade the trial. As such, there is no merit in the case.

7) The Order dated 18/06/2024, passed in favour of Dipak Jashwantlal Panchal in the same case, is produced for perusal of the Court. The Applicant has not breached the bail order. The Applicant is permanent resident of Mumbai. The Applicant's travel abroad is subject to the permission of the trial Court. Earlier, the Applicant had gone abroad but, she had returned. As such, she is not likely to abscond. By the said Order dated 18/06/2024 Dipak Jashwantlal Panchal was also directed "to hand over the passport to the CBI after its renewal". Later on, said condition was modified as "to hand over the copy of passport to the CBI after its renewal" *vide* Order dated 29/06/2024 below Exh. 313. In view thereof, I am inclined to allow the Application and pass following Order:-

- (i) The Application is partly allowed.
- (ii) The impugned Order to the extent of direction to hand over the passport to CBI after its renewal, is set aside. The said direction is modified as under:-

- (a) Once the passport is renewed, the Applicant Jasmina Jayesh Dadia shall hand over a copy of the passport to the CBI.
- (iii) Insofar as permission to travel abroad is concerned, it should be applied before the trial Court in consonance with the Bail Order.

(SHYAM C. CHANDAK, J.)