



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.1281 OF 2025**

Mohammad Ahetsam Mohammad Aslam
Naviwala ... Applicant
versus
The State of Maharashtra ... Respondent

Mr. Mithilesh Mishra with Ms. Namasvi Bhanushali, Mr. Anurag Mishra for Applicant.
Mr. K.C.Shinde, AGP for Respondent State. .

CORAM: N.J.JAMADAR, J.

DATE : 11 DECEMBER 2025

P.C.

1. Heard the learned Counsel for the parties.
2. Learned Counsel for the Applicant submits that the period for which the applicant intended to travel abroad has already expired. Under a misconception, the applicant has only obtained permission for return of the passport and did not seek permission of the Court to travel abroad. The trial in question has been stayed by the High Court.
3. In these circumstances, the applicant intends to file a fresh application for permission to travel abroad.
4. Learned Counsel for the Applicant, thus, seeks leave to withdraw the application.
5. It is further submitted that the said application be directed to be decided by the learned Special Judge, without being influenced by the observations in

the impugned order.

6. From the perusal of the impugned order, it appears that the fact that the applicant had attempted to travel abroad without obtaining the prior permission of the Court influenced the learned Special Judge in making certain observations in the impugned order.

7. Thus, the Application stands disposed with liberty to file a fresh application with adequate justification seeking leave to travel abroad.

8. In the event such an application is filed, learned Special Judge is requested to decide the said application on its own merits and in accordance with law, without being influenced by the impugned order.

(N.J.JAMADAR, J.)