



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 1436/2025
IN
CRIMINAL APPLICATION NO.53 /2024

POONAM JAIDEV SHROFF	...APPLICANT
IN THE MATTER BETWEEN	
POONAM JAIDEV SHROFF	...ORI. APPLICANT
VS	
STATE OF MAHARASHTRA AND ANR	...RESPONDENTS

...

Adv. Pranav Bhadeka (through V.C.) a/w Madhu Gadodia, Kimaya, Udit Mehta, Anisha Nair, Kamlesh Verma i/b Naik Naik & Co. for the Applicant

Adv. Anand S. Shalgaonkar, APP for the Respondent State.
Kush Agarwal i/b MZM Legal LLP for Respondent No.2.

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CORAM : RAJESH S. PATIL, J.
DATED : APRIL 21, 2025

P.C.:

1. The present application has been filed by the applicant (wife) seeking permission to travel beyond the limits of India from April 2025 to September 2025, as per the proposed itinerary mentioned in paragraph no.18 of the interim application.

2. The only objection raised by the learned counsel for the respondent (husband) to the present interim application is that the applicant is simply seeking adjournments before the family Court on false ground and does not want to continue with the hearing of the

main matter. If the applicant is permitted to travel abroad for a long period, the hearing would be affected.

3. It is the applicant's case that the applicant has been earlier permitted 15 times to travel abroad by this Court. The applicant is again seeking a permission to travel abroad.

4. In paragraph no. 24 of the interim application, an undertaking of the applicant is stated, to remain present through physical/V.C. for the purpose of cross-examination of the applicant. Paragraph no. 24 of the interim application is reads as under :

“24. The Applicant further respectfully submits that no harm and/or prejudice would be caused to the Respondent and or to the Original Complainant in whatsoever manner if the Applicant is permitted to travel as per the proposed itinerary. The Applicant undertakes to remain present through physical or video conferencing before the Family Court, Bandra and when the dates are fixed for cross-examination of the Applicant. The Applicant submits that considering the facts and circumstances of the present case and even otherwise the principles of justice and equity warrant that the Applicant's prayer for permitting her to travel abroad be allowed on such terms and conditions as this Hon'ble Court may deem fit and proper. If this application is allowed no prejudice would cause to the Respondent, however the great prejudice would cause to the Applicant and her daughter Rudritara.”

5. Considering the specific undertaking given by the applicant in the present interim application, the same is accepted by this Court. Hence, according to me, the case is made out to permit the applicant to travel abroad.

6.1. There is itinerary which is proposed in paragraph no. 18 of

the interim application. As far as the Sr. No. 1 is concerned, travel proposed was 15 April 2025 to 20 April 2025. As the said period is already elapsed as of today, therefore, there is no question of granting any permission, as far as Sr. No. 1 is concerned.

6.2. As far as the Sr. No. 2 is concerned, the travel permission sought is from 1 May 2025 to 31 May 2025. The said travel permission stands granted.

6.3. As far as the period from June 2025 to September 2025 is concerned, for the said period, according to me, there is no clear details specified. Only, as a matter of indulgence, permission to travel and be abroad is granted till 15 June 2025 to the applicant.

7. The applicant is granted liberty to prefer a fresh application if she intends to travel after 15 June 2025.

8. It is made clear that such application should be accompanied with the exact details of the travel permission sought for.

9. It is also clarified that the terms as mentioned in order dated 21 November 2024 from (ii) to (v) in paragraph no. 5 are also part of this order. The said terms are as under :

(ii) The applicant shall furnish an undertaking to the Registry of this Court that she will return to India during this period.

(iii) The applicant shall submit her travel itinerary, details of intended stay, and contact information to the investigating officer.

(iv) The investigating officer shall immediately return the passport to the applicant to enable her to travel and obtain necessary permissions.

(v) The applicant shall re-deposit her passport with the investigating officer within one week after her return.

10. **Interim application is accordingly disposed off.**

(RAJESH S. PATIL, J.)