

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO.1806 OF 2025
IN
CRIMINAL APPLICATION NO.8 OF 2025
(FOR LEAVE TO FILE APPEAL-STATE)

Marin D/o Kazuyoshi Kataigi And Ors. Applicants

V/s.

Commissioner Of Customs, Prosecution Respondents
Cell, CSMI, Mumbai Through Patel Paresh
Jashwantlal & Anr.

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Mr.A.M. Sachwani a/w Mr.Rajesh Shah, for the Applicants in IA
and for the Respondent in ALS No.8 of 2025.

Mr.Atif Noor Hasan Shaikh, for Respondent No.1.

Mr.Ashok Gawai, APP, for Respondent No.2-State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 08th MAY 2025

P.C:-

. By this Application, the Applicants are seeking
permission to travel Japan for the period of three months from
the date of the departure.

2. The learned counsel for the Applicants submit that,
the Applicants have been acquitted from the offences levelled
against him and they need NOC from the Foreigners Regional

Registration Officer (FRRO) for issuing exists permission from the Customs. The learned counsel further submitted that, earlier this Court has permitted the Applicant to travel to Japan (Coram : Prakash D. Naik, J.) by order dated 12th July 2022. The Applicants have returned thereafter. Hence, requested to allow the Application.

3. The learned SPP for the Respondent strongly objected on the ground that, acquittal order of the Applicants have been challenged by the Respondent. There are chances of absconding of the Applicants, hence, requested to reject the Application.

4. I have heard both learned counsel.

5. Earlier this Court (Coram : Prakash D. Naik, J.) by order dated 12th July 2022 permitted the Applicant No.2 to go Japan, thereafter, he returned. Both the Applicants have been acquitted from the charges levelled against them. Having this fact, I pass following order.

ORDER

(i) The Applicants are permitted to travel

Japan from the date of departure.

(ii) The Applicants shall provide itinerary of their travelling to Japan to the Investigating Officer.

(iii) The Applicants shall furnish cash deposit of Rs.1 lakhs each before the Trial Court. It will be returnable after they return to India.

(iv) The Applicant shall provide their address and contact number in Japan to Investigating Officer

(v) The Applicant shall furnish undertaking that, they will not extend the period of stay at Japan.

(vi) The Respondent shall give NOC to the Applicant's to travel Japan.

(vii) Stand over to 20th June 2025.

(SHIVKUMAR DIGE, J.)