

Gaikwad RD

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO.1975 OF 2025
IN
WRIT PETITION NO.2387 OF 2025**

Hem Prabhaker Shah	...Applicant
In the Matter in Between:	
Hem Prabhaker Shah	...Petitioner
<i>Versus</i>	
State Of Maharashtra & Anr.	...Respondents

Mr. Kushal Mor, a/w Adv. M. Mishra a/w Mr. Akhilesh Singh,
Ms. Aditi Rao i/b Mr. Markik Shah, for the Applicant.
Ms. Gauri Rao, APP for the Respondent-State
Mr. Karan Sonkawade, Azad Maidan, Police Station

CORAM Dr. Neela Gokhale, J.
 Firdosh P. Pooniwalla, J.
 (Vacation Court)
DATED: 3rd June 2025

PC:-

1. The Applicant, a Singaporean National, is arraigned as an Accused in FIR No. 225 of 2019 dated 28th September 2019 for offences punishable under Section 420 read with 34 of the IPC. There is an LOC opened against him at the behest of the Respondent No.1 on 12th December 2019.

2. He was arrested on 13th August 2024 and released by the order dated 5th September 2024 passed by this Court in Criminal Writ Petition (ST) No. 17757 of 2024 by declaring his arrest as illegal. The investigation is ongoing for the past 8 months.

3. The Applicant seeks permission to travel to Singapore to provide support to his daughter aged 22 years, who intends to undergo jaw surgery.

4. Heard Mr. Kushal Mor learned counsel for the Petitioner and Ms. Gauri Rao, learned APP representing the State.

5. Ms. Gauri Rao learned APP on instructions submits that the investigation is likely to be concluded within 30 days qua this Applicant. She also submits that the Applicant has not cooperated with the investigation and has not provided his bank statement as required by the Investigation Agency.

6. Mr. Kushal Mor, learned counsel appearing for the Applicant states that the reason for which he intends to travel to Singapore for the specified time is for a jaw surgery of his daughter, aged 22 years. According to him, the Applicant has

already submitted the bank statement for the relevant period.

7. Be that as it may, the Applicant is a Singaporean National. His entire immediate family namely his wife and two daughters are resident of Singapore. He is accused of defrauding the complainant of about more than 3.25 Crores. Being a foreign national, his return cannot be enforced easily. Neither does he have immediate family roots in India. In any case, considering that the investigation is likely to be concluded within 30 days, the prayer for travel can be renewed after the investigation is over. Moreover, his travel to Singapore is not emergent since it is an elective surgery and his wife and other major daughter are already in Singapore to assist.

8. List the matter on **4th July 2025**.

(Firdosh P. Pooniwalla, J.)

(Dr. Neela Gokhale, J)