



Sairaj

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 2159 OF 2025
IN
BAIL APPLICATION (St.) NO. 2386 OF 2020

Rhea Chakraborty

...Applicant

Versus

Union of India and Another

...Respondents

Mr. Ayaz Khan, Ms. Zehra Charania, Ms. Mallika Sharma, for Applicant.

Ms. Poonam P. Bhosale, APP, for State.

Mr. S. K. Halwasia, with Ms. S. S. Halwasia & Mr. Keshav Thakur, for Respondent-NCB.

CORAM Dr. Neela Gokhale, J.

DATED: 26th September 2025

PC:-

1. The Applicant seeks relaxation of Condition Nos. (ii) and (iii) of the bail order dated 7th October, 2020 passed in Bail Application (Stamp) No. 2386 of 2020. The Condition Nos. (ii) and (iii) reads as under :-

“ii. The Applicant shall deposit her passport with the investigating agency.

iii. The Applicant shall not leave the country without prior permission from the Special Judge for NDPS at Greater Mumbai.”

2. I have heard Mr. Ayaz Khan, learned counsel appearing for the Applicant and Mr. S. K. Halwasia, learned counsel appearing for Union of India. Ms. Poonam Bhosle represents State.

3. Mr. Khan submitted that there are 33 accused in the criminal case. All the accused are on bail. Out of them, 8 accused have been granted bail by the Trial Court. He submits that till date, the Applicant has complied with all the bail conditions and there is no complaint of violation from the Respondent. The chargesheet is filed however, charges are not framed till date. He submits that the Applicant is an actor by profession and her work entails travelling abroad for the purpose of shooting, meeting with producers, participating in auditions, etc. She recently has been confirmed for an OTT web series for which she is required to travel to different countries. It is her grievance that fulfilment of condition to

seek permission of the Trial Court each time that she wants to travel abroad causes tremendous delay and at times, she has to forego her assignments as the permission is granted at a later date. Mr. Khan has also brought to my attention orders passed by the Trial Court granting similar relaxation to the 8 co-accused. He submits that the co-accused sought relaxation from the Trial Court as the said conditions were imposed by the Trial Court. In the present case, the bail conditions sought to be relaxed are imposed by this Court and therefore, he has moved this Court, seeking reliefs as prayed.

4. Mr. S. K. Halwasia, on the other hand, contested this Application. He also tendered an Affidavit-in-reply on behalf of the Narcotics Control Bureau. He submits that Applicant should not be given any special treatment only because she is a celebrity. He submits that there is serious apprehension that she may not return, if granted permission to travel abroad without any conditions, as she is a flight risk. He submits that

she has committed a serious offence. Thus, he resisted the Application for relaxation.

5. I have heard counsel for both the parties and gone through the Application as well as the bail order.

6. Admittedly, similar conditions are relaxed for as many as 8 accused by the Trial Court. Undoubtedly, since the Applicant is an actor, she is required to travel abroad for work-related reasons. Since the said conditions have been relaxed for other 8 accused, I see no reason why the present Applicant be continued to be imposed with these conditions. Considering that the Applicant has co-operated with the trial till date; has not been found violating any bail condition/s imposed on her and has always returned from abroad whenever she has travelled with permission from the Trial Court, I see no reason to doubt that the Applicant may not be available for the expeditious conclusion of the trial.

7. In view of the aforesaid, the Application is allowed. The Condition Nos. (ii) and (iii) are deleted. It is made clear that unless granted express exemption by the Trial Court, the Applicant shall appear before the Trial Court on each and every date and shall co-operate with the expeditious disposal of the pending trial. Before travelling abroad, the Applicant shall inform the Prosecuting Agency in that regard and furnish her complete itinerary to them, atleast four days before her departure. The itinerary must contain the details of her hotel and flights, which she intends to take. She is also directed to give her phone number to the Prosecuting Agency and keep her phone switched on at all times. She shall also intimate the Prosecuting agency on her return to India.

8. Subject to the aforesaid conditions, the officers of the Prosecuting Agency are directed to return the passport to the Applicant within seven days from the date of uploading of this order.

9. The Application is thus allowed in the aforesaid terms and disposed of.

(Dr. Neela Gokhale, J)