



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 926 OF 2026
IN
CRIMINAL APPLICATION NO. 679 OF 2024
IN ALPST/1712/2024

MANOJ MEHANDRU
VERSUS
AUTOKRAFT TECHNOLOGIES THROUGH AUTHORISED
SIGNATORY DIPENDERSINGH MAKHIJA AND OTHERS

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Advocate for Applicant :Mr.Akshay Kulkarni h/f.Mr. Amit Yadkikar
APP for Respondent - State : Mr. S. M. Ganachari
Advocate for Respondent No.1 :Mr.Sunil Nimbalkar h/f. Mr.Punit
Mehta

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CORAM : ABHAY S. WAGHWASE, J.
DATED : 10 MARCH 2026

PER COURT :

1. This is an application filed by the Applicant / original respondent no.2, seeking permission to travel abroad.

2. Learned counsel for applicant pointed out that, he was arraigned as original accused no.2 in a proceedings under section 138 of Negotiable Instruments Act instituted by one M/s Autokraft Technologies vide S.C.C. No. 7652 of 2017, which was primarily filed against the former employer accused namely Prothom Industries Pvt. Ltd. and its Directors. He pointed out that, above complaint came to be dismissed for want of prosecution. That,

against it, original complainant seems to have preferred Application for Leave to file Appeal, but there is delay in filing the same. That, the delay is yet to be condoned, and subsequent to that the only matter would be dealt on merits by this court.

3. He further pointed out that, applicant was already equipped with the passport. He had attended Court dates before learned trial Court regularly and there is no adverse remark. Now, applicant intends to travel abroad to Japan as tourist as well as religious purpose from 01.05.2026 to 18.05.2026. He further submitted that, before the trial Court he had tendered an application for renewal of passport, and the same was also allowed by order 30.08.2024. A copy of the same is annexed herewith.

4. Learned counsel further submits that, in view of the above order, the applicant seeks permission of this Court to travel abroad and according to him, main proceedings before the trial Court have virtually come to an end and the present proposed appeal would at the most amount to continuation of appeal. That, applicant being a law abiding citizen and on his own accord has approached this Court for seeking permission to travel abroad. He undertakes to abide all and any condition by this Court.

5. Learned counsel for respondent no.1 - original

complainant objects and expresses apprehension regarding misuse of the said passport and to avoid further proceedings, which are yet in the pipeline and yet to shift in the form of Application for Leave to Appeal as well as Appeal.

6. After considering the above submissions, admittedly, the complaint, which was filed against present applicant and others, has been dismissed by the learned trial Court by order dated 02.08.2022. There is also no dispute that original complainant has decided to come by way of an appeal as is so evident from leave application to file appeal being pending before this Court. However, it is pointed out that, even in preferring leave application, there is delay. If this is so, then said proposed proceedings are yet to crystallize into proceedings. Applicant only intends to travel abroad to Japan for few days in the capacity of tourist and for religious purpose. There is no adverse remark about his non attendance of proceeding in trial Court. Therefore, there is no hurdle to grant prays so raised herein.

7. Having considered the submissions made and the material placed on record, this Court is of the view that the Applicant has made out a case for grant of permission. Accordingly, the application is allowed. The Applicant is permitted

to travel abroad for the period from 01.05.2026 to 18.05.2026, subject to the following conditions:-

The Applicant shall tender the complete travel itinerary before this Court and shall also submit an undertaking providing full details of stay in Japan, including the dates of departure from India and arrival back to India along with a copy of the air tickets and passport.

8. With the above directions, the application stands disposed of.

(ABHAY S. WAGHWASE, J.)