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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL REVISION APPLICATION NO. NO. 465 OF 2026

VAISHALI ANIL TIKAM

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Date: 2026.10.08 18:12:58 +0530

Kalyanji Vishwambhar Chaudhary ...Applicant/s
Versus
The State Of Maharashtra and Anr. ...Respondent/s

Mr. Shailesh Redekar a/w. Mr. Yogesh Rawool, Advocate for Applicant.
Mr. M.G. Patil, APP for Respondent-State.
Ms. Nukshinaro i/by M.V. Kini & Co., Advocate for Respondent No.2
API, Niwas Garle, Virar Police Station, present.

CORAM : SHIVKUMAR DIGE, J.
DATE : 7th OCTOBER, 2026.

P.C. :

1. Heard learned counsel for the Applicant, learned APP and Respondent No.2.

2. The challenge in this application is the order dated 23/06/2026 below Exhibit 4. passed by the Learned Special Judge (M.S.E.B., Vasai) whereby discharge application of the Applicant is rejected and another order dated 17/08/2026 passed below Exhibit 17, whereby the Learned Special Judge has permitted the Applicant for renewal of passport but restraining the Applicant from leaving India without permission of the Court till disposal of the case.

3. Learned counsel for the Applicant, on instructions, submits tht

Applicant is not pressing the prayer of discharge application and Applicant will contest the trail on its own merit. But, the Applicant is contesting the condition i.e. to take permission of Learned Special Judge while going abroad which will cause inconvenience to the Applicant. Learned counsel further submitted that the Applicant's base is in India and for job purpose he wants to travel Netherland. Applicant shall file an undertaking before the Special Court that he shall attend the Court as and when required. His father is the Accused No.1 in the present case and requested to allow the present application. Learned counsel further submitted that Applicant has engaged an Advocate, who represent him. Hence, there is no question of Applicant is not attending the trial as his Advocate will proceed with the trial in absence of the Applicant.

4. Learned APP along with Respondent No.2 strongly objected to allow the application on the ground that if application is allowed, the Applicant may abscond and requested to reject the Application.

5. I have heard all learned counsel. Applicant's base is in India. The Learned Special Judge has permitted for renewal of passport but imposed a condition that Applicant shall take permission of the Court before leaving India. Applicant doing job in abroad i.e. at Netherland and he want to travel frequently. The Applicant is ready to file an undertaking before the Special Court that he shall attend the Court as and when

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required. Considering these facts, I pass the following order:

ORDER

(i) Revision Application is partly allowed.

(ii) The condition imposed on the Applicant by the order dated 17/08/2026 below Exhibit 17 passed by the Learned Special Judge, permitting the Applicant for renewal of passport but restraining the Applicant from leaving India without permission of the Court till disposal of the case, is quashed and set aside.

(iii) The Applicant shall file an undertaking before the Learned Special Judge that he shall attend the Court as and when required.

(iv) Revision Application is disposed of accordingly.

(SHIVKUMAR DIGE, J.)