

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.471 OF 2025**

Paresh Dhanjibhai Ambaliya	...Applicant
<i>Versus</i>	
State of Maharashtra	...Respondent

Mr. Bhavik Bhatt a/w Anurag Ghag and Kunal P., *for the Applicant.*

Ms. Gauri S. Rao, *APP for the Respondent - State.*

PI – Himmat Jadhav a/w PI – Kiran Deshmukh, EOW Mumbai, Housing – 2, present.

CORAM DR. NEELA GOKHALE, J.
DATED: 03RD FEBRUARY 2026

PC:-

1. By way of this Application, the Applicant seeks modification of condition Nos.3 and 5 imposed while granting bail to the Applicant vide order dated 15th October, 2024. Condition Nos.3 and 5 read thus:

“3. The applicant should not leave India without permission of the Court.”

“5. The applicant to deposit his passport, if any, to the Investigating Officer.”

2. Heard Mr. Bhavik Bhatt, learned counsel for the Applicant and Ms. Gauri Rao, learned APP representing the State.

3. Despite the charge-sheet being filed in 2024, till date charges have not been framed and the Applicant has complied with all the conditions imposed on him at the time of grant of bail.

4. Insofar as condition No.3 is concerned, that the Applicant should not leave India without permission of the Court, I am not inclined to modify the said condition as Ms. Rao has indicated her apprehension that if the Applicant is permitted to travel outside India without seeking permission from the Trial Court, it is likely that the Applicant will abscond and not remain present at the time of the trial.

5. Insofar as condition No.5 is concerned, regarding return of passport to the Applicant, Mr. Bhatt has placed before the Court the documents which indicate that he has to obtain a Visa if he has to travel to any other country and for that purpose he needs his passport. He has also submitted that he is a diamond merchant is frequently required to visit the foreign countries on short notice and on invitation to

participate in various auctions of jewels and diamonds. He submits that the time taken to decide his application for return of passport and for permission to travel abroad has always been long after considerable delay on account of which the purpose for which he required the permission extinguished.

6. In these circumstances, I am inclined to direct the Investigating Officer to return the passport of the Applicant to him within a period of seven days from today and it is ordered as under:-

ORDER

- i) The Investigating Officer is directed to return the passport of the Applicant to him within a period of seven days from today; and
- ii) The Trial Court is requested to consider the Application of the Applicant seeking permission to travel abroad, if any made, and determine the same expeditiously.

7. However, the Applicant shall continue to require permission of the Trial Court to leave India.

8. Rest of the order shall remain as it is.

9. Criminal Application is partly allowed in the aforesaid terms and is disposed of.

(DR. NEELA GOKHALE, J)