GAYATRI RAJENDRA SHIMPI
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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 59 OF 2026

Abdulgani Serang … Petitioner

V/s.

The State of Maharashtra … Respondent

Mr. Rajiv Patil, Senior Advocate a/w Mr. Saurabh Ghag, Dakshata Sawant, Mikita Chavan, Siddhant Raut, Sanghpriya Sarode, Monali G., Advocates for the Petitioner.

Mr. Prasanna Malshe, APP for Respondent – State.

Mr. Raysing Patil – IO, EO Unit -03, Mumbai.

CORAM : ASHWIN D. BHOBE, J.

DATE : 13th JANUARY, 2026.

P.C. :

1. Heard Mr. Rajiv Patil, learned Senior Advocate for the Petitioner and Mr. Prasanna Malshe, learned APP for the State.

2. By the present Petition, the Petitioner is seeking the following substantive reliefs :-

"B) This Honourable High Court, be pleased to

modify the Order dated 24/11/2025 on Miscellaneous Application No. 621 of 2025 in Anticipatory Bail Application No. 1966 of 2022, on the file of learned Designated Court, MPID, Greater Mumbai, by setting aside Clause 3 of the said order dated 24/11/2025, by deleting Condition No. 4 for Bail in Order dated 13/10/2022; and in the meanwhile;"

3. Petitioner is Accused No.1 in Crime No. 134 of 2022 registered with Respondent/EOW, Unit-3, GC-1, Mumbai, for the offences punishable under Sections 409, 420 r/w Section 34 of the Indian Penal Code, 1860 (hereinafter referred to as "IPC").

4. Petitioner was enlarged on bail in the said Crime vide order dated 13th October, 2022 passed by the Additional Sessions Judge, City Civil & Sessions Court, Mumbai in Anticipatory Bail Application No. 1966 of 2022 on the conditions as mentioned in paragraph No.1(i) to (ix) (Exhibit-C, page No. 32 to 41 of the Petition paper book).

5. Grievance of the Petitioner in the present Petition is in respect of the Bail condition at paragraph No.1 (iv) of the order dated 13th October, 2022 , which reads as follows :-

> *"iv. The applicant shall not leave the jurisdiction of Court without prior permission of this Court."*

6. Mr. Rajiv Patil, learned Senior Advocate for the Petitioner, submits that the said clause is causing inconvenience to the Petitioner, as the Petitioner has to regularly travel out of the country in connection with the affairs of the Union. He submits that the Petitioner has on 18 occasions sought prior permission to travel out of the country. He submits that on all the said occasions, requests made by the Petitioner were considered by the Court. He submits that the Miscellaneous Application No. 621 of 2025 filed by the Petitioner seeking relaxation of condition No. 4 & 7 was partly allowed by the Sessions Court, by relaxing condition No. 7 of the order dated 13th October, 2022. He submits that by the order dated 24th November, 2025 passed in Miscellaneous Application No. 621 of 2025, the Applicant is required to obtain permission to travel abroad from the concerned Judicial Magistrate. He submits that the Investigating Officer investigating the present Crime has filed a 'C' Summary report before the Court of Judicial Magistrate, First Class, which is still pending. In view of the aforesaid facts, he submits that the condition bearing No. 1(iv) of the order 13th

October, 2022 be relaxed and clause 3 of the order dated 24th November, 2025 passed in Miscellaneous Application No. 621 of 2025 be set aside. He submits that the Petitioner has abided by all the conditions as were imposed by the order dated 13th October, 2022 passed in Anticipatory Bail Application No. 1966 of 2022.

7. Mr. Prasanna Malshe, learned APP for the State, on instructions from the Investigating Officer Mr. Raysing Patil, who is present in Court, states that the Investigating Officer does not object to the relaxation of condition No. 1 (iv) in the order dated 13th October, 2022 passed in Anticipatory Bail Application No. 1966 of 2022 and for deletion of clause (3) of the order dated 24th November, 2025 passed in Miscellaneous Application No. 621 of 2025. He submits that the request made by the Petitioner in the present Petition in terms of prayer clause (B) be granted.

8. Mr. Rajiv Patil, learned Senior Advocate for the Petitioner, on instructions, states that the Petitioner shall abide by all the other remaining conditions imposed in the order dated 13th October, 2022 passed in Anticipatory Bail Application No. 1966 of

2022.

9. In view of the above and the No objection given by the Mr. Prasanna Malshe, learned APP on instructions from the Investigating Officer present in Court, Petition is allowed in terms of prayer clause (B) of the Petition. Consequently clause (3) of the order dated 24th November, 2025 passed in Miscellaneous Application No. 621 of 2025 is set aside and Bail condition No. 1 (iv) of the order dated 13th October, 2022 passed in Anticipatory Bail Application No. 1966 of 2022 is deleted.

10. Criminal Writ Petition No. 59 of 2026 is allowed in the above said terms.

(ASHWIN D. BHOBE, J.)