Ajit Pathrikar

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 3479 OF 2025
IN
BAIL APPLICATION NO. 806 OF 2024

Riyaz Abdul Sattar Memon ...Applicant
Versus
State Of Maharashtra ...Respondent

Ms. Ashwinii Acharii *i/b Bhumika Gada, for the Applicant.*
Ms. Gauri S. Rao, *APP for the State-Respondent.*
API – Amol Kadam, *ANC Worli Unit, Crime Branch, Mumbai, is present.*

CORAM DR. NEELA GOKHALE, J.
DATED: 26th FEBRUARY 2026

PC:-

1. This is an Application seeking modification of clause (vi) of paragraph 13 of the order dated 17th May 2024. The clause (vi) of paragraph 13 reads thus:

> *"(vi) The applicant shall surrender his passport before the Special Court and shall not leave India without prior permission of the Special Court."*

2. Ms. Ashwinii Acharii, learned counsel for the Applicant, submits that the Applicant is a businessman and has been

consistently seeking permission from the Trial Court to travel to Dubai in the course of his business. He has returned every time and has reported to the Trial Court as well as to the concerned Investigating Officer of the ANC, Worli, Mumbai. She further submits that there is a time gap between making an application and seeking permission from the Trial Court and hence, the Applicant suffers considerable hardship in the course of his business activities. She thus prays that the said condition of seeking prior permission of the Special Court before leaving India be deleted.

3. Ms. Rao has placed on record the order of the Supreme Court granting bail to the co-accused, Chintan Panseriya. The role of all the accused is alleged to be identical. However, said Chintan has been granted bail by the Supreme Court by order dated 13th November 2025, considering his long incarceration; the large number of witnesses to be examined by the prosecution and the fact that the Trial Court is seized of matters in which compliance under Section 294 is not yet made. However, while granting bail to the co-accused, the

Supreme Court imposed an additional condition, which reads thus:

> *"11. Apart from the conditions that the Trial Court may deem fit to impose, we on our own impose the condition that the petitioner shall not leave the town of Ankleshwar, State of Gujarat, except for the dates on attending the Trial Court in Mumbai on the fixed dates of hearing. The petitioner shall mark his presence on every Sunday at the Ankleshwar City Police Station. The Petitioner shall surrender his Passport before the Trial Court."*

4. Hence, Ms. Rao prays that the Interim Application be rejected.

5. I have heard learned counsel appearing for the respective parties and perused the record with their assistance.

6. I have also perused the order passed by the Supreme Court in the matter of Chintan Panseriya, who is a co-accused in the same C.R. The role attributed to the present Applicant

is similar to that attributed to the said Chintan Panseriya. Since the Supreme Court has deemed it fit to impose additional conditions in addition to those imposed by the Trial Court and has in fact restrained the said co-accused from leaving the State of Gujarat, where he resides, I am not inclined to completely do away with the condition, as sought by Ms. Acharii.

7. However, considering that the Applicant has business in Dubai and is required to travel frequently outside India and further considering that there is a lengthy time gap between the filing of an application by the Applicant and the time when it is decided, I deem it appropriate to request the Trial Court to hear and decide an application seeking permission to travel abroad, if made by the Applicant, within a period of seven days from the date on which such application is first listed before the Trial Court.

8. Rest of the order remains as it is.

9. The Interim Application is allowed in the aforesaid terms.

(Dr. Neela Gokhale, J)