

MHCC020045582020



CITY CIVIL AND SESSIONS COURT, GR. BOMBAY
IN THE COURT OF SPECIAL JUDGE, C.R. NO. 25.

ORDER BELOW APPLICATION EXH. 1202

IN

SPECIAL CASE NO. 414 OF 2020

Gautam Navlakha

...Applicant/
accused No. 11

Versus

National Investigation Agency

... Respondent.

Appearances:-

Advocate Mr. Wahab Khan for Applicant/accused No.11.

SPP Mr. Prakash Shetty for NIA.

CORAM : HHJ SHRI. CHAKOR S. BAVISKAR,
(COURT ROOM NUMBER 25)

Dictated and pronounced the order in open court
ON 19th JUNE, 2025

In short, by moving this application, present applicant/accused Gautam Navlakha prays this Court to grant him permission to leave the jurisdiction of the Court and allow him to stay

permanently at Delhi, mainly on the grounds that, he hails from Delhi, he has been unemployed and financially depends on his friends and family and it is becoming extremely difficult for him to live sustainable life in Mumbai. He further gives assurance to remain present on the dates of trial and as and when directed by this Court. He further contends some family issues like ill health of his age old sister.

2. Strong contesting Say Exh. 1202-A is filed by the State wherein, facts of the case are narrated, and then role of all the accused is explained and then it is requested to reject the application.

3. Perused the application Exh. 1202. Perused the contesting Say Exh. 1202-A. Perused the entire record. Heard the Ld. Advocates appearing in this matter at utmost sufficient length.

4. Applicant/accused Gautam Navlakha is constrained to file this application only for the reason that, the Hon'ble High Court while allowing Criminal Appeal No. 468/2023 *vide* order dated 19.12.2023 and thereby while granting bail to this applicant/accused, alongwith other conditions, directed this accused not to leave the jurisdiction of the Hon'ble Bombay High Court without prior permission from the Special Judge (NIA), Greater Mumbai/Trial Court (i.e. this Court), if the applicant/accused desires to travel outside the jurisdiction of this Court (i.e. the Hon'ble Bombay High Court). It is true that, this Court at occasions, has granted permission to this applicant/accused also to travel beyond jurisdiction of the Court, considering his timely requirements and by passing reasoned orders for that.

5. Traveling beyond the jurisdiction of the Court is one thing. Residing permanently beyond the jurisdiction of the Court, is all together different thing.

6. The Hon'ble Bombay High Court while imposing conditions on this applicant/accused, while releasing him on bail, *inter alia* directed him 'not to travel outside the jurisdiction of the Court without prior permission of the Trial Court'.

7. It simply means that, the Hon'ble Bombay High Court pleased to give liberty to this Court, to allow the applicant/accused to travel beyond territorial jurisdiction of the Hon'ble Bombay High Court, if the reasons of the applicant/accused are thought fit for that.

8. The Hon'ble Bombay High Court has not granted desecration to this Court to allow the applicant/accused to reside permanently outside the jurisdiction of the Hon'ble Bombay High Court.

9. At the cost of repetition, I mention that, granting permission to the accused to travel beyond the jurisdiction of the Court is different thing and allowing him to reside permanently beyond the jurisdiction of the Court is entirely different thing. Since the Hon'ble High Court has not granted such liberty either to the applicant/accused or to this Court as well, this unnecessary application deserves to be rejected. I proceed to pass to following order.

ORDER

Application Exhibit-1202 hereby stands rejected.



Date : 19.06.2025.

(CHAKOR SHRIKRISHNA BAVISKAR)

Special Judge
for the cases under NIA. (C.R. 25)
City Civil and Sessions Court,
Gr. Mumbai.

Dictated on : 19.06.2025.

Transcribed on : 19.06.2025.

Signed on : 19.06.2025.

CERTIFIED TO BE TRUE AND CORRECT COPY OF THE ORIGINAL
SIGNED JUDGMENT/ORDER”

UPLOAD DATE	TIME	NAME OF STENOGRAPHER
19.06.2025	05.15 p.m.	Aparna V. Lele (Grade I)
Name of the Judge		HHJ SHRI CHAKOR S. BAVISKAR (CR No.25)
Date of Pronouncement of Judgment/Order.		19.06.2025.
Judgment/order signed by PO on		19.06.2025.
Judgment/order uploaded on		19.06.2025.