

In the Court of Judicial Magistrate First Class, at Ta. Kalol, Dist. Gandhinagar. [Presided over by Mrs. Priyanka Jaymin Surti (GJ01570)]

Criminal Case no. 339/2026

EX.

1. The applicant is an accused for the offence registered in Kalol City Police Station as First C. R. no. 11216024240357/2024 for the offences under section 406, 420, 120 (b) of I.P.C. This Court has taken into custody the passport of the applicant vide order in Cr. M. A. no. 319/2026 and thus this application is filed through learned advocate Mr. R. S. Joshi for return of passport and to get permission to travel abroad.
2. Along with his application, the applicant/accused has submitted xerox copies of his own Visa (Mark - 3/5) as well as Visa of his daughter & son (Mark 3/3 & 3/4) and copies of admission letter of his daughter & son (Mark 3/6 & 3/7). The applicant has submitted that he needs to fly abroad for the admission of his daughter & son.
3. This Court has issued notice to the Complainant. Today the complainant herself has remained present before this Court. The learned advocate Mr. S. V. Shrivastav has appeared for the complainant. The complainant has filed no objection purshish vide Exh. 5, inter alia stating that she has no objection if the present application is granted and if the applicant/accused is allowed to get passport & if he gets permission to travel abroad.
4. Read the application. Perused the record and took into consideration the documents produced vide Exh. 3. This Court - being a trial Court believes that the right to go abroad also falls within the ambit of Article - 21 of the Constitution of India. To maintain the equilibrium between the personal liberty and the speedy & fair trial and to secure the presence of the accused during trial the following order is passed.

ORDER

(i) The applicant/accused Nimeshkumar Ambalal Patel is permitted get the temporary custody of the passport no - T9805777 and to leave the territory of India upto 11/09/2026 as per the Visa produced at Mark - 3/5 on the following conditions:-

- (a) The applicant/accused Nimeshkumar Ambalal Patel shall deposit Rs.1,00,000/- (One lakh) as a security.
- (b) The applicant/accused Nimeshkumar Ambalal Patel is directed to deposit the passport in this Court within 7 days from 11/09/2026.
- (c) The deposit amount shall be returned after submitting the original passport within 7 days after returning to India i.e. within 7 days from 11/09/2026.

(ii) Non-compliance of this order will be viewed seriously.

Pronounced in the open Court on the 17th day of June, 2026.

[Priyanka Jaymin Surti]
[Judi. Magi. First Class]

Ta. Kalol, Dist. Gandhinagar.