



Amrut

IN THE HIGH COURT OF BOMBAY AT GOA
CRIMINAL MISC. APPLICATION NO.504 OF 2026 (Filing No.)
IN
CRIMINAL APPLICATION (BAIL) NO.337 OF 2026 (Filing No.)

NEWTON BISHOYI AND ANR. Applicants

Versus

STATE THR POLICE ...Respondents
INSPECTOR AND 2 ORS

Ms A. A. Agni, Senior Advocate with Mr Junaid Shaikh, Advocate for the Applicants.

Mr Somnath Karpe, Additional Public Prosecutor for the Respondent Nos.1 and 2/State.

Ms Natasha Rai, Advocate for the Respondent No.3/Complainant.

CORAM: DR. NEELA GOKHALE, J.

DATED : 8th MAY 2026

P.C.:

1. By way of this application, the Applicants seek modification of Clause Nos. 2 and 6 of the order dated 28th April 2026. Clause Nos. 2 and 6 read as under: -

“2. The Applicants shall attend the concerned Police Station once a month till filing of the charge-sheet or as and when required by the Investigating Officer and shall cooperate with the investigation.

6. The Applicants shall not leave India without prior permission of the trial Court.”



2. Heard Ms A. Agni, learned Senior Advocate appearing for the Applicants, Mr Karpe, learned Additional Public Prosecutor representing the State and Ms N. Rai, learned counsel for Respondent No.3/Complainant.
3. Ms Agni submits that the Applicants are not residents of India and even the application was filed by declaring that they are residing in Dubai. Hence, she seeks modification of Clause No. 6, which directs that the Applicants shall not leave the country without seeking prior permission from the Trial Court.
4. Insofar as Clause No.2 is concerned, Ms Agni, on instructions, states that the Applicants are ready and willing to attend the Police Station as and when the Investigating Officer requires them to do so. Accordingly, the Applicants are directed to remain present and join the investigation, as and when the Investigating Officer requires them to do so.
5. Insofar as Clause No. 6 is concerned, I am not inclined to modify the said condition because the premise on which the said condition was imposed is that the Applicants have to take permission of the Trial Court before leaving the country and in this case, it appears that they have left the country without taking the Trial Court's permission.



6. Ms Agni submits that the Applicants proceeded to Dubai after interrogation by the police, on the permission given to them by the police. Mr Karpe, learned Additional Public Prosecutor, interjects and says, on instructions, that no such permission or statement was made by the Investigating Officer regarding the travel of the Applicants to Dubai. In these circumstances, the Applicants are required to take permission from the Trial Court before they leave the country. In the facts of the present case, I am not inclined to modify the said Clause No. 6 of the order dated 28th April 2026.

7. Since Ms Agni states that at present the Applicants have travelled to Dubai without taking Trial Court's permission because of the misunderstanding of the said order, they shall not be arrested for the particular breach. However, the Applicants are now required to comply with the conditions of the said order. They must take prior permission of the Trial Court before leaving the country, or in the circumstances of this case, to continue to remain outside the country.

8. The modified clause No.2 shall read as under:-

“The Applicants are directed to remain present and join the investigation, as and when the Investigating Officer requires them to do so.”



9. Clause 6 shall remains unchanged, save and except the direction in Para 7 hereinabove. The rest of the order shall remain as it is.
10. The application is disposed of accordingly.

DR. NEELA GOKHALE, J