

IN THE HIGH COURT OF BOMBAY AT GOA**CRIMINAL WRIT PETITION NO. 27 OF 2020**

Samir Sardana ... Petitioner
Versus
The Office of the DGP,
Goa Police HQ, Panaji & Ors. ... Respondents

Petitioner present in person.

Mr. G. Nagvenkar, Additional Public Prosecutor for Respondent Nos. 1 and 2.

Mr. P. Faldessai, Assistant Solicitor General of India for Respondent Nos. 3 to 9.

**Coram:- M. S. SONAK &
SMT. M. S. JAWALKAR, JJ.**

Date:- 4th January, 2021

P.C.

At the request of the Petitioner and considering the issues raised in this petition, we direct the Respondent Nos. 4, 5 and 9 to file response to this petition. In particular, the Petitioner contends that there are no enquiries or investigations as such pending against him and therefore there is no reason to impose any restraints on his travel abroad. The Petitioner has referred to the order dated 10th August, 2018 made by the Judicial Magistrate First Class, Vasco which in fact permits the Petitioner to go abroad but subject to certain conditions.

2. The Petitioner has contended that these conditions were imposed because it was pointed out that there are some investigations pending against the Petitioner. The Petitioner now submits that if no investigations are pending, then, there is no good reason for the conditions to continue.

3. Therefore, the concerned Respondents to file response dealing with this aspect of the matter alongwith other issues raised by the Petitioner in this petition.

4. Initially, we were inclined to only direct the Respondent No.4 to file response so that, such response could be filed at an early date. However, the Petitioner submits that he has no difficulty if five weeks time is granted but a response will be necessary from the aforesaid Respondents.

5. The Petitioner also seeks response from Respondent No.6. However, we find that the Respondent No.6 is "*Cabinet Secretariat*" which according to us, is not some legal entity as such. However, we expect that the Respondent No.4 obtains necessary information regards the enquiry or investigations, if any, pending against the Petitioner from all the Central Government Agencies including the Research and Analysis Department and files a response in the matter.

6. The responses to be filed by 15th February, 2021 after serving advance copy to the Petitioner, at the address indicated in the cause title. The Petitioner, is also at liberty to indicate his email address so that, the response can be served upon him by email. Such email may be provided to Mr. Faldessai, learned Assistant Solicitor General of India who appears in this matter on behalf of the Respondent Nos.3 to 9.

7. In case the Petitioner wishes to file any rejoinder, he is granted liberty to do so but the Petitioner will have to file such rejoinder by 24th February, 2021 and furnish advance copy to the learned Assistant Solicitor General of India.

8. Stand over to 1st March, 2021.

SMT. M. S. JAWALKAR, J.

M. S. SONAK, J.

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