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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 340 OF 2015**

Mr. Jagdishprasad M. Joshi ... Petitioner

Versus

Central Bureau of Investigation and Ors. ... Respondents

Mr. Sandeep Pasbola i/by Mr. Omprakash Parihar for the petitioner.

Mr. Milind S. Sawant along with Mr. Anil Singh, Additional Solicitor General for CBI.

Smt. A.A. Mane, A.P.P. for the State.

**CORAM : M.L. TAHALIYANI, J.
DATED : JUNE 23, 2015**

P.C.

Admit. Heard finally.

2. Heard Mr. Pasbola, learned counsel for the petitioner and learned Mr. Singh, learned Additional Solicitor General for Union of India. The petitioner is one of the accused in C.R.No. 122/2004 of DCB-CID, Mumbai under the MCOC Act. The case is now being investigated by CBI. The passport of the applicant is detained by the CBI. The investigation is in progress. The chargesheet is not yet filed.

3. The applicant has prayed for return of his passport detained by the CBI. It is submitted by Mr. Pasbola, learned counsel for the applicant that the applicant is having his business of perfumery at UAE and other countries

including South Africa. He has not visited his units since last more than eight years due to pendency of investigation of the above stated crime. He has submitted that his business has suffered a lot due to his absence. It is also submitted that the petitioner wants to visit some other countries and wants to meet manufacturers of the similar goods in other countries.

4. Learned Additional Solicitor General has submitted that there is serious apprehension in the mind of the investigating agency that the petitioner may not return to India if he is permitted to travel abroad. As far as business industries of the petitioner in other countries are concerned, no details are provided to this court. In any event, that may not be necessary at this stage because the prime concern of the court is to see as to whether the petitioner will return to India if permitted to travel abroad.

5. In the first place as stated by me, there is no material to accept that the applicant is seriously interested in any business abroad. Secondly, the apprehension of the investigating agency can not be said to be ill-founded inasmuch as there are certain confidential documents in an envelope shown to me which indicate that the petitioner and his family members may be trying to settle abroad.

6. For all these reasons, I am of the view that it is just and proper that the petition of the petitioner is rejected and the same is accordingly rejected.

(JUDGE)