

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 127 OF 2015
IN
ANTICIPATORY BAIL APPLICATION NO. 128 OF 2014**

Nizamuddin Moinuddin Shaikh	...Applicant
Versus	
The State of Maharashtra	...Respondent

Ms. Nazrin Khatri with Mr. Akram Kapoor for the Applicant

Ms. A. T. Javeri, A.P.P for the Respondent-State

Mr. Shitalkumar N. Gaikwad, Police Sub-Inspector from Borivali Police Station is present

CORAM : REVATI MOHITE DERE, J.

FRIDAY, 27TH FEBRUARY, 2015

P.C. :

1. Heard learned Counsel for the applicant and the learned A.P.P for the respondent-State.

2. By this application, the applicant prays that his passport be handed over by the Investigating Officer to him, as he intends to travel abroad for his business purpose.

3. A case was registered against the applicant, being C. R. No. 13 of 2014 with the Borivali Police Station, alleging offences punishable under Sections 498-A, 323, 504 and 506 of the Indian Penal Code.

4. The applicant was granted anticipatory bail by this Court vide order dated 20th February, 2014 on the condition that he would report to the concerned police station on four consecutive Sundays between 10:00 a.m. to 12:00 noon or till the filing of the charge-sheet, whichever is earlier and that the applicant shall surrender his passport to the Investigating Officer. With these directions, the application was disposed of and the interim relief which was granted by order dated 3rd February, 2014, was made absolute on the same terms and conditions.

5. Learned Counsel for the applicant has tendered an affidavit of the applicant stating that he has booked his ticket to travel from Mumbai to Dubai, UAE on 3rd March, 2015. It is stated that he would be returning back from Dubai on 5th March, 2015. She has given a copy of the E-tickets to the learned A.P.P. Since the applicant intends to travel abroad for

business purpose, the Investigating Officer to hand over the passport to the applicant. Accordingly, the following order is passed :

ORDER

- (I) The application is allowed.
- (II) The Investigating Officer to hand over the passport of the applicant, on his giving an Itinerary of the place where he intends to reside whilst in Dubai and his contact numbers. The said formalities will be completed by 2:00 p.m. on 2nd March, 2015. The applicant shall, however, on his return, handover his passport to the Investigating Officer on 13th March, 2015.
- (III) The applicant shall file an affidavit in this Court, stating that he will abide by the order passed today.

6. Parties to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.