

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPLICATION NO. 260 OF 2015

Kishor Hendrik Nandan ... Applicant.

V/s.
Intelligence Officer, Narcotics Control
Bureau & Anr. ... Respondents.

Mr. H.E.Mooman i/by Sherali S. Khan, Advocate for Applicant.
Ms. P. H. Kantharia, Advocate for Respondent No.1.
Mr. Rajesh More, A.P.P. for the State.

**CORAM : M.L.TAHALIYANI,J.
DATE : 12th JUNE, 2015**

P.C. :

1 Admit. Heard finally.

2 The applicant wants to travel abroad for a period of two weeks. He is accused of the offence punishable under section 9 of the NDPS Act. A complaint is filed against the applicant by the Narcotic Control Bureau. There are few other accused alongwith the applicant.

3 It is submitted on behalf of the applicant that his mother-in-law is seriously ill and that there are certain properties in the name of his mother-in-law which are required to be transferred in the name of the applicant. No such documents are produced before the court to show that the

mother-in-law of the applicant holds any property in Netherland and she intends to transfer the same to the applicant.

4 The case is of the year 2010. It is an admitted position that the trial has not began. However, that by itself cannot be a reason for granting permission to travel abroad if the apprehension of the Respondent /NCB is reasonable that the applicant will abscond.

5 The learned Advocate Ms. Kantharia for the NCB/ Respondent No.1 has submitted that the co-accused in this case were granted permission to travel abroad and that they have absconded. She submitted that five of the co-accused, who were granted bail in this case, have jumped the bail and that they are not traceable.

6 Since the applicant has not been able to show any document regarding the so called pressing reason for traveling abroad and since the co-accused in the present case have jumped the bail, the apprehension of the NCB cannot be said to be ill founded.

7 In my opinion, considering above, no case is made out for grant of this application and, therefore, the application is rejected.

(JUDGE)