

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 414 OF 2015

Ayesha Iliyas Beg. ... Applicant.
Versus
The State of Maharashtra. ... Respondent.

Ms. Anjali Patil a/w. Mr. Arun Rajput, advocate for Applicant.

Ms. S.S. Kaushik, APP for State.

Mr. S.K. Joheb, PSI, Malvani Police Station, Mumbai.

CORAM : SMT. SADHANA S. JADHAV,J
DATE : JULY 15, 2015

P.C.:

1 Heard the learned Counsel for the applicant and the learned
APP for State.

2 This is an application seeking permission to travel abroad for a
period of 3 months. The applicant is apprehending her arrest in
Crime No. 309 of 2015 registered at Malvani Police Station for
offence punishable under Section 498A, 406, 377, 504, 506 read with
Section 34 of the Indian Penal Code. The prosecution had issued

notice to the present applicant under Section 41A of the Code of Criminal Procedure, 1973. The applicant is mother in-law of the complainant. By an order dated 26th May, 2015, the applicant was granted pre-arrest bail by the Court of Additional Sessions Judge, Greater Bombay. While granting pre-arrest bail, the Court of Additional Sessions Judge has imposed a condition that the applicant shall not leave jurisdiction of this Court without prior permission of this Court.

The applicant is permanent resident of Bahrain. When she had visited India, the complainant who happens to be her daughter-in-law has lodged the report under Section 498A, 406, 377, 504, 506 read with Section 34 of the Indian Penal Code. Husband of the applicant has been granted permission to travel abroad for a limited period of 3 months.

3 Learned APP has apprehension that the applicant would never return to India for the trial. Moreso because the the son of the

applicant is resident of Bahrain and he has not been arrested in this C.R.

4 Learned Counsel for the applicant submits that the applicant desires to visit Bahrain to celebrate Ramzan Eid festival alongwith her kid and kin and therefore, seeking permission to travel abroad for a period of 3 months. Learned Counsel for the applicant upon instructions gives an undertaking that the applicant would return to India on or before 30/9/2015.

5 The learned APP has apprehension that the applicant would not cooperate with the trial. However, it is made clear that on or before 10th October, 2015, the applicant shall surrender her passport before the Court of concerned Magistrate. She shall give her itinerary for the period for which she is out of India. After she returns to India, she shall cause her appearance before the court of concerned Magistrate on or before 10th October, 2015.

6 With the above said observations, the application is allowed and disposed of accordingly.

(SMT. SADHANA S. JADHAV,J)