

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1339 OF 2014

IN

CRIMINAL APPEAL NO.1286 OF 2002

SHAILESH CHAMPAKLAL SHAH

)...APPLICANT

V/s.

UNION OF INDIA

)...RESPONDENT

Mr.V.Pethe i/b. Mr.B.D.Joshi, Advocate for the Applicant.

Mr.D.A.Nalavade, Public Prosecutor for Respondent No.1.

Mrs.S.V.Gajare, APP for the Respondent - State.

CORAM : ABHAY M. THIPSAY, J.

DATE : 17th FEBRUARY, 2015.

P.C. :

1 Heard.

The applicant's appeal from his conviction recorded by the Sessions Judge at Silvassa and the sentence imposed upon him is pending before this court. The sentence imposed upon the applicant is of Rigorous Imprisonment for a period 2 years and a

fine of Rs.1 Lac. I am informed that the fine has already been paid.

2 Mr.Nalavade, the learned Public Prosecutor for the Union Territory, submits that, he was not able to get instructions as to whether the applicant has any other case pending in any other criminal court in India. However, the learned counsel for the applicant categorically states that except the present appeal, challenging the conviction and sentence recorded by the Sessions Judge, Silvassa, no other case, in any other criminal court, is pending against him.

3 This statement is accepted.

4 Considering all the relevant aspects of the matter, it will be proper to allow the application.

5 It is made clear that this court shall have no objection if a passport is issued to the applicant, in accordance with law.

6 Needless to say, that, the applicant shall give an undertaking to this court that even if a passport is issued to him, he shall not travel abroad without the express permission of this court.

7 The application is allowed in the aforesaid terms and is accordingly disposed of.

(ABHAY M. THIPSAY, J.)